S. HRG. 99-896

Standards for the Establishment of Commemorative Works in the Nation's Capital

HEARING

BEFORE THE

SUBCOMMITTEE ON PUBLIC LANDS, RESERVED WATER AND RESOURCE CONSERVATION

OF THE

COMMITTEE ON
ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE

NINETY-NINTH CONGRESS

SECOND SESSION

ON

S. 2522

A BILL TO PROVIDE STANDARDS FOR PLACEMENT OF COMMEMORATIVE WORKS ON CERTAIN FEDERAL LANDS IN THE DISTRICT OF COLUMBIA AND ITS ENVIRONS, AND FOR OTHER PURPOSES

H.R. 4378

AN ACT TO PROVIDE STANDARDS FOR PLACEMENT OF COMMEMORATIVE WORKS ON LANDS ADMINISTERED BY THE NATIONAL PARK SERVICE IN THE DISTRICT OF COLUMBIA, AND FOR OTHER PURPOSES

JUNE 24, 1986

Printed for the use of the
Committee on Energy and Natural Resources

U.S. GOVERNMENT PRINTING OFFICE
64-524 O WASHINGTON : 1986

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S311-56.

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James A. McClure and J. Bennett Johnston are Ex Officio Members of the Subcommittee

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STANDARDS FOR THE ESTABLISHMENT OF COMMEMORATIVE WORKS IN THE NATION'S CAPITAL

TUESDAY, JUNE 24, 1986

U.S. SENATE, SUBCOMMITTEE ON PUBLIC LANDS, RESERVED
WATER AND RESOURCE CONSERVATION, COMMITTEE ON
ENERGY AND NATURAL RESOURCES,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:34 p.m., in room SD-366, Dirksen Senate Office Building, Hon. Malcolm Wallop presiding.

Present: Senators Wallop and Hecht.

Also present: Tony Bevinetto and Patricia Kennedy, professional staff members; and Thomas B. Williams, professional staff member for the minority.

OPENING STATEMENT OF HON. MALCOLM WALLOP, A U.S. SENATOR FROM THE STATE OF WYOMING

Senator WALLOP. Good afternoon.

The subcommittee this afternoon will hear testimony on two measures to establish guidelines to evaluate and govern the establishment of memorials and monuments on Federal lands in the Nation's Capital. Those measures are S. 2522, to provide standards for placement of commemorative works on certain Federal lands in the District of Columbia and its environs, and H.R. 4378, to provide standards for placement of commemorative works on lands administered by the National Park Service in the District of Columbia.

I will place a copy in the hearing record of each of these pieces of legislation.

The design of this city also has created outstanding areas which have been or may yet be used to honor those who have made lasting contributions to the history of our Nation. During the last century, 111 memorials, monuments, and plaques have been erected on Federal land in the District of Columbia and its environs. These commemorative works honor U.S. Presidents, military units, those who served in the Vietnam war, heroes of the Revolutionary, Civil, and World Wars, U.S. citizens, individuals from foreign countries, and a variety of significant events.

However, we do have a legitimate and growing concern, and it is this. There now remains but a limited number of sites for additional memorials, and yet an infinite number of proposals to establish them. If we are to protect the concept of open space and dignity which contributes so much to the beauty of the Nation's Capital, we must be selective not only in what we choose to commemorate, but we must demand high standards in design and construction.

I am going to insert the remainder of my statement in the record, and statements by Senators Murkowski and Bumpers and letters from Senators Thurmond and Hollings in the record.

[The bills, statements, and letters referred to follow:]

II

99TH CONGRESS
2D SESSION

S. 2522

To provide standards for placement of commemorative works on certain Federal lands in the District of Columbia and its environs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 5 (legislative day, JUNE 2), 1986

Mr. WALLOP (for himself, Mr. MCCLURE, Mr. HATFIELD, Mr. JOHNSTON, Mr. BUMPERS, and Mr. ARMSTRONG) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

---

A BILL

To provide standards for placement of commemorative works on certain Federal lands in the District of Columbia and its environs, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

PURPOSES

SECTION 1. The purposes of this Act are as follows:

(a) To preserve the integrity of the comprehensive design of the L'Enfant and McMillan plans for the Nation's Capital.

(b) To ensure the continued public use and enjoyment of open space in the District of Columbia.

(c) To preserve, protect and maintain the limited amount of open space available to residents of, and visitors to, the Nation's Capital.

(d) To ensure that future commemorative works in areas administered by the National Park Service and the General Services Administration in the District of Columbia and its environs (1) are appropriately designed, constructed, and located and (2) reflect a consensus of the lasting national significance of the subjects involved.

DEFINITIONS

SEC. 2. As used in this Act—

(a) The term "Secretary" means the Secretary of the Interior.

(b) The term "Administrator" means the Administrator of the General Services Administration.

(c) The term "commemorative work" means any statue, monument, sculpture, memorial, or other structure or landscape feature, including a garden or memorial grove, designed to perpetuate in a permanent manner the memory of a person, group, event or other significant element of history. The term does not include any such item which is located within the interior of a structure which is primarily used for other purposes.

(d) The terms "Area I" and "Area II" mean those lands administered by the National Park Service and the General Services Administration within the District of Columbia and its environs as depicted on the map numbered 869/86501, and dated May 1, 1986.

(e) The term "person" means an individual, group or organization authorized by Congress to establish a commemorative work in the District of Columbia and its environs.

(f) The term "designated areas" means those lands and properties located in Areas I and II as depicted on the map referenced in subsection (d) of this section.

(g) Notwithstanding any other provision of law, the term "the District of Columbia and its environs" means those lands and properties located in Areas I and II as depicted on the map referenced in subsection (d) of this section.

CONGRESSIONAL AUTHORIZATION OF COMMEMORATIVE WORKS IN DESIGNATED AREAS

SEC. 3. (a) No commemorative work may be established in designated areas unless specifically authorized by act of Congress. All such authorized works shall be subject to applicable provisions of this Act.

(b) In considering legislation authorizing commemorative works within designated areas, the appropriate Congressional authorizing Committees shall solicit the views of the National Capital Memorial Commission.

NATIONAL CAPITAL MEMORIAL COMMISSION

SEC. 4. (a) The National Capital Memorial Advisory Committee as established by the Secretary is redesignated as the National Capital Memorial Commission.

(b) The National Capital Memorial Commission shall provide advice to the Secretary and the Administrator on policy and procedures for establishment of (and proposals to establish) commemorative works in the District of Columbia. The Commission shall meet at least twice annually.

AVAILABILITY OF MAP DEPICTING AREA I AND AREA II

SEC. 5. The Secretary and the Administrator shall make available, for public inspection at appropriate offices of the National Park Service and the General Services Administration, the map numbered 869/86501, and dated May 1, 1986.

SPECIFIC CONDITIONS APPLICABLE TO AREA I AND AREA II

SEC. 6. (a) AREA I.—In addition to conditions set forth in subsection (b) of this section, no commemorative work may be located in Area I unless the Secretary or Administrator (as appropriate), after consultation with the National Capital Memorial Commission, finds that the subject of the commemorative work is of preeminent historical and lasting significance to the Nation. The Secretary or Administrator shall notify the Congress of his determination that a commemorative work should be located within Area I. Unless the Congress enacts a joint resolution approving such determination within ninety days of such notification, the determination shall be deemed disapproved.

(b) AREA II.—Commemorative works of lasting historical significance may be located in Area II, subject to the following conditions:

(1) A military commemorative work may be established in Area II only to commemorate a war or similar major military conflict or to commemorate any branch of the Armed Forces. No commemorative work commemorating a lesser conflict or a unit of an Armed Force shall be permitted in Area II.

(2) A commemorative work commemorating an individual or group of individuals shall not be permitted in Area II until at least twenty-five years after the death of the individual or the last surviving member of the group.

(3) A commemorative work other than a work referred to in paragraph (1) or (2) may be constructed in Area II only to commemorate a subject of lasting historical significance.

SITE AND DESIGN APPROVAL

SEC. 7. (a) Any person authorized by law to establish a commemorative work in designated areas shall comply with each of the following requirements before commencing construction of the commemorative work:

(1) Such person shall consult with the National Capital Memorial Commission regarding the commemorative work. Such consultation shall include consideration of potential sites in designated areas.

(2) Following consultation in accordance with subsection (1) of this section, such person shall submit site and design proposals to the Commission of Fine Arts and the National Capital Planning Commission and the Secretary or Administrator (where appropriate) for approval.

(b) In considering site and design proposals, the Commission of Fine Arts, the National Capital Planning Commission and the Secretary and Administrator shall be guided by the following criteria:

(1) To the maximum extend possible, a commemorative work shall be located in surroundings that are relevant to the subject of the commemorative work.

(2) A commemorative work shall be so located as to prevent interference with, or encroachment upon,

any existing commemorative work and to protect open space in a manner compatible with existing public use.

(3) A commemorative work shall be constructed of durable material suitable to the outdoor environment.

CRITERIA FOR ISSUANCE OF CONSTRUCTION PERMIT

SEC. 8. (a) Prior to issuing a permit for the construction of a commemorative work in a designated area, the Secretary or Administrator (as appropriate) shall certify that:

(1) the site and design have been approved by the Secretary or Administrator, the National Capital Planning Commission and the Commission of Fine Arts;

(2) knowledgeable persons qualified in the field of preservation and maintenance have been consulted to determine structural soundness and durability of the commemorative work, and to assure that the commemorative work meets high professional standards;

(3) the person authorized to construct the commemorative work has submitted contracts for construction and drawings of the commemorative work to the Secretary or Administrator; and

(4) the person authorized to construct the commemorative work has available sufficient funds to complete construction of the project.

(b) In addition to the foregoing criteria, no construction permit shall be issued unless the person authorized to construct the commemorative work has paid an amount equal to

10 per centum of the total estimated cost of construction to offset the costs of perpetual maintenance and preservation of the commemorative work. Notwithstanding any other provision of law, all moneys provided by persons for such maintenance shall be credited to a separate account in the Treasury. Congress authorizes and directs that the Secretary of the Treasury shall make all or a portion of such moneys available to the Secretary or the Administrator at his request for maintenance of commemorative works. Under no circumstances may the Secretary or Administrator request funds from the separate account exceeding the total moneys deposited by persons establishing commemorative works in areas he administers. The Secretary and the Administrator shall maintain an inventory of funds available for such purposes: *Provided*, That such moneys shall not be subject to deferral or rescission under the Budget Impoundment and Control Act of 1974, and such moneys shall not be subject to annual appropriations. Further, the funds shall not be subject to sequestration under the requirements of Public Law 99-177.

MISCELLANEOUS PROVISIONS

SEC. 9. (a) DOCUMENTATION.—Complete documentation of design and construction of each commemorative work located in designated areas shall be provided to the Secretary or the Administrator and permanently maintained.

(b) EXPIRATION OF AUTHORITY FOR A COMMEMORATIVE WORK.—Any legislative authority for a commemorative work shall expire at the end of the five-year period beginning on the date of the enactment of such authority, unless the Secretary or Administrator has issued a construction permit for the commemorative work during that period.

(c) MAINTENANCE OF COMMEMORATIVE WORKS.—Upon completion of any commemorative work within designated areas, the Secretary or Administrator (as appropriate) shall assume responsibility for the maintenance of such work.

REGULATIONS

SEC. 10. The Secretary and the Administrator shall promulgate appropriate regulations to carry out this Act. The regulations shall be published in the Federal Register within one hundred and twenty days after the enactment of this Act.

EFFECTIVE DATE

SEC. 11. This Act shall not apply to commemorative works authorized by a law enacted before the commencement of the Ninety-ninth Congress.

II

99TH CONGRESS
2D SESSION

H. R. 4378

IN THE SENATE OF THE UNITED STATES

MAY 7 (legislative day, MAY 5), 1986

Received, read twice and referred to the Committee on Energy and Natural Resource

AN ACT

To provide standards for placement of commemorative works on lands administered by the National Park Service in the District of Columbia, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PURPOSES.

The purposes of this Act are as follows:

(1) To preserve the grandeur of the comprehensive design of the L'Enfant and McMillan plans for the Nation's Capital.

(2) To ensure the continued public use and enjoyment of national park land in the District of Columbia.

(3) To preserve, protect and maintain the limited amount of open space provided by national park land to residents of, and visitors to, the Nation's Capital.

(4) To ensure that future commemorative works on national park land in the District of Columbia (A) are appropriately designed, constructed, and located and (B) reflect a consensus of the lasting national significance of the subjects involved.

SEC. 2. AVAILABILITY OF MAP SHOWING AREA I AND AREA II OF NATIONAL PARK LAND IN THE DISTRICT OF COLUMBIA.

The Secretary of the Interior, acting through the National Park Service, shall make available, for public inspection at appropriate offices of the National Park Service, a map showing Area I and Area II of the lands administered by the National Park Service, within the District of Columbia.

SEC. 3. CONGRESSIONAL AUTHORIZATION OF COMMEMORATIVE WORKS ON NATIONAL PARK LAND IN THE DISTRICT OF COLUMBIA.

No commemorative work may be established at any site on Federal land in the District of Columbia except in accordance with this Act.

SEC. 4. SITE PROPOSAL, REVIEW, AND SELECTION.

Any person authorized by law to establish a commemorative work on Federal land in the District of Columbia shall comply with each of the following requirements before commencing construction of the commemorative work if any site which may be considered for the location of such commemorative work is located on lands administered by the National Park Service:

(1) Such person shall consult with the National Capital Memorial Commission regarding the commemorative work. Such consultation shall include the consideration of alternative sites, including sites administered by the National Park Service within the National Capital Region and sites located on other Federal lands within the District of Columbia. Such person shall also consult with the National Park Service (or with the department or agency having primary authority over the lands under consideration as a site where such site is not located on lands administered by the National Park Service).

(2) Following consultation in accordance with paragraph (1), such person shall submit site and design proposals to the Commission of Fine Arts and the National Capital Planning Commission for their approval.

(3) Upon receipt of approval by the Commission of Fine Arts and the National Capital Planning Com-

mission, drawings of the commemorative work, contracts for construction, and evidence indicating the availability of sufficient funds for construction (as provided in section 5) shall be submitted to the National Park Service (or to the department or agency having primary authority over the site where the site is not located on lands administered by the Secretary acting through the National Park Service) for certification.

(4) Following acceptance of approval of the site and design proposals in accordance with paragraph (2) and following certification of the drawings, contracts, and sufficiency of funds in accordance with paragraph (3), the Secretary of the Interior (or the head of the department or agency having primary authority over the site where the site is not located on land under the jurisdiction of the Secretary) shall issue a permit for construction of the commemorative work.

SEC. 5. SPECIFIC CONDITIONS APPLICABLE TO AREA I AND AREA II.

(a) IN GENERAL.—Establishment of commemorative works on lands in the District of Columbia which are administered by the National Park Service shall be subject to the conditions set forth in subsections (b), (c), and (d).

(b) AREA I.—In furtherance of the purposes of this Act, no commemorative work may be located at a site in Area I unless the Congress finds that the subject of the commemorative work is of such major historical and lasting significance to the Nation as a whole that placement of the commemorative work in any other site would be inappropriate.

(c) AREA II.—The following conditions shall apply to construction of each commemorative work in Area II:

(1) A military commemorative work may be established in Area II only to commemorate a war or similar major military conflict or to commemorate any branch of the Armed Forces. No commemorative work commemorating a lesser conflict or a unit of an Armed Force shall be permitted in Area II.

(2) A commemorative work commemorating an individual or group of individuals shall not be permitted in Area II until at least twenty-five years after the death of the last surviving individual directly involved.

(3) A commemorative work other than a work referred to in paragraph (1) or (2) may be constructed in Area II only to commemorate a subject of lasting historical significance.

(d) CRITERIA APPLICABLE TO COMMEMORATIVE WORKS.—The following criteria shall be applicable to all commemorative works constructed on land administered by the National Park Service within the District of Columbia.

(1) Design of the commemorative work shall be subject to approval by the Secretary, the Commission of Fine Arts, and the National Capital Planning Commission.

(2) To the maximum extent possible, a commemorative work shall be located in surroundings that are relevant to the subject of the commemorative work.

(3) A commemorative work shall be so located as to prevent interference with, or encroachment upon, any existing commemorative work and to protect open space in a manner compatible with existing public use.

(4) A commemorative work shall be constructed of durable material suitable to the outdoor environment.

(5) Before approval by the Secretary and issuance of a construction permit to place a commemorative work at the selected site, such work shall be inspected by persons knowledgeable and qualified in the field of preservation and maintenance of such works to determine structural soundness and durability and to assure that the commemorative work meets the current high professional standards.

(6) Before approval by the Secretary and issuance of a construction permit to place a commemorative work at the selected site, the Secretary shall require

each of the following conditions to be met, as determined by the Secretary—

(A) There is available the full amount of funds necessary to pay the cost of construction.

(B) To offset the costs of perpetual maintenance and preservation in the case of a commemorative work constructed by a person, such person has paid, for deposit in the general fund of the Treasury as miscellaneous receipts, an amount equal to 10 per centum of the total estimated cost of construction.

To carry out this paragraph, the Secretary may require establishment of appropriate accounts and may conduct such audits as may be necessary.

SEC. 6. TEMPORARY COMMEMORATIVE WORKS IN AREA II.

The Secretary may permit, to the extent authorized by law, temporary location of a commemorative work in Area II for a single period of not more than one year. Not later than the end of that period, a commemorative work so located shall be removed from Area II to a place other than Area I or Area II. A commemorative work may not be temporarily located in Area II under this section, until (as determined by the Secretary) there are available sufficient funds for installation and removal of such commemorative work. To carry out the preceding sentence, the Secretary may require establishment of appropriate accounts and may conduct such audits as may be necessary.

SEC. 7. NATIONAL CAPITAL MEMORIAL COMMISSION.

The National Capital Memorial Advisory Committee as established by the Secretary, as in existence on January 1, 1986, is redesignated as the National Capital Memorial Commission. The Commission shall provide advice to the Secretary on policy and procedures for establishment of (and proposals to establish) commemorative works in the National Capital Region. The Commission shall meet at least twice annually for the purpose of advising the Secretary.

SEC. 8. MISCELLANEOUS PROVISIONS.

(a) DOCUMENTATION.—Complete documentation of design and construction of each commemorative work placed on lands administered by the National Park Service within the District of Columbia shall be provided to the National Park Service and permanently maintained.

(b) EXPIRATION OF AUTHORITY FOR A COMMEMORATIVE WORK.—Any legislative authority for a commemorative work under this Act shall expire at the end of the five-year period beginning on the date of the enactment of such authority, unless construction of the commemorative work begins during that period.

SEC. 9. REGULATIONS.

The Secretary shall promulgate appropriate regulations to carry out this Act. The regulations shall be published in the Federal Register within ninety days after the enactment of this Act.

SEC. 10. DEFINITIONS.

As used in this Act—

(1) The term "Secretary" means the Secretary of the Interior.

(2) The term "commemorative work" means any statue, monument, sculpture, memorial, or other structure or landscape feature, including a garden or memorial grove, designed to perpetuate in a permanent manner the memory of a person, group, event or other significant element of history. The term does not include any such item which is located within the interior of a structure which is primarily used for other purposes.

(3) The term "Area I" means those lands administered by the National Park Service within the District of Columbia which are designated as "Area I" on the map referred to in section 2.

(4) The term "Area II" means all lands administered by the National Park Service within the District of Columbia other than lands within Area I.

SEC. 11. EFFECTIVE DATE.

This Act shall not apply with respect to either of the following:

(1) A commemorative work authorized by a law enacted on or before the commencement of the Ninety-ninth Congress.

(2) A commemorative work authorized by a bill or joint resolution passed by either House of the Congress on or before November 6, 1985, and enacted into law after that date.

Passed the House of Representatives May 5, 1986.

Attest: BENJAMIN J. GUTHRIE,
Clerk.

OPENING STATEMENT OF SENATOR WALLOP, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS, RESERVED WATER AND RESOURCE CONSERVATION

JUNE 24, 1986 2:30 p.m.
SD-366

This ~~morning~~ the Subcommittee will hear testimony on two measures to establish guidelines to govern the establishment of memorials and monuments on Federal lands in the Nation's Capitol. Those measures are S. 2522, to provide standards for placement of commemorative works on certain Federal lands in the District of Columbia and its environs, and for other purposes, and H.R. 4378, to provide standards for placement of commemorative works on lands administered by the National Park Service in the District of Columbia, and for other purposes. I will place a copy of each measure in the hearing record.

The design of this city also has created outstanding areas which have been or may yet be used to honor those who have made lasting contributions to the history of our nation. During the last century, 111 memorials, monuments and plaques have been erected on Federal land in the District of Columbia and its environs. These commemorative works honor U.S. Presidents, military units, those who served in the Vietnam War, heroes of the Revolutionary, Civil and World Wars, U.S. citizens, individuals from foreign countries and various significant events. However, we have a legitimate and growing concern. It is this: There now remains but a limited number of sites for additional memorials and yet an infinite number of proposals to establish them. If we are to protect the concept of open space and dignity, which contributes so much to the beauty of the Nation's Capital, we must be selective not only in what we choose to commemorate but we must demand high standards in design and construction. Much American history remains to be created.

Great events and great Americans are yet to come and our country will wish to honor them and have a place remaining in which to do so.

The Congress now has before it 18 proposals to establish memorials and monuments on Federal land in the District of Columbia--an unprecedented number. As the Chairman of this Subcommittee, I felt it was important to address the issues associated with locating memorials and monuments in the District of Columbia before acting on the individual proposals pending before the Subcommittee. To this end, the Subcommittee held an oversight hearing on March 18, 1986, to receive testimony from the members of the National Capital Memorial Advisory Committee and other witnesses on criteria for approval, jurisdiction, placement, design, funding and maintenance of commemorative works. The testimony presented at the hearing indicated a clear need for legislative standards to guide us as we take up the 18 measures pending before this Congress and those to be considered in future years.

On June 5, I was joined by Senator McClure, Senator Hatfield, Senator Johnston, Senator Bumpers and Senator Armstrong in introducing legislation to address many of the issues discussed and recommendations made at the March 18 oversight hearing. S. 2522 is similar to the measure passed recently by the House of Representatives, H.R. 4378. However, the Senate bill broadens the scope of the legislation to include lands administered by both the National Park Service and the General Services Administration and also includes certain lands along the Virginia shoreline administered by the National Park Service. S. 2522 also modifies the site selection process in the House measure to require the land managers to make the initial recommendation to locate a commemorative work in the monumental core area. The Congress would then consider the appropriateness of that recommendation. Finally, S. 2522 makes all individual proposals to authorize commemorative works now pending before the Congress subject to the provisions of the bill.

It is my hope that the guidelines set forth in the legislation we are introducing today will ensure that future commemorative works in the Nation's Capital are appropriately designed, constructed, located and that their subjects are of lasting significance to the Nation. I believe such standards are necessary to assure that Federal lands in Washington, D.C. will continue to be available for a variety of activities, and that there will be sites remaining for future generations to honor their own.

The hearing record will remain open for two weeks after today, during which time written testimony on either of these measures can be submitted to the Subcommittee. In the interest of time, I would ask the witnesses to limit their oral statements to 3 minutes. Additional comments may be provided and the entire testimony, oral and written, will be included in the record.

Frank H. Murkowski

STATEMENT BY SENATOR FRANK H. MURKOWSKI
SUBCOMMITTEE ON PUBLIC LANDS,
RESERVE WATER AND RESOURCE CONSERVATION
JUNE 24, 1986

I LOOK FORWARD TO HEARING THE TESTIMONY TODAY ON S. 2522 AND H.R. 4378. MEMORIALS CLEARLY REPRESENT ONE OF THE MOST VALUED ATTRACTIONS HERE IN OUR NATION'S CAPITAL. HOWEVER, IT IS OBVIOUS THAT WE ARE FAST APPROACHING THE TIME WHEN MEMORIALS WILL BE CONSUMING WHAT LITTLE OPEN SPACE WE HAVE LEFT IN THE DISTRICT. WE WILL SOON BE FACING A CONFLICT BETWEEN THE RECOGNITION OF IMPORTANT CONTRIBUTORS TO OUR NATION'S HISTORY, AND THE CONTINUED ACCESSIBILITY OF D.C.'S PUBLIC LANDS FOR A VARIETY OF USES.

AS CHAIRMAN OF THE VETERANS' AFFAIRS COMMITTEE, I HAVE REVIEWED AND COSPONSORED A NUMBER OF PROPOSALS FOR MEMORIALS AND MONUMENTS. THE PROPOSALS HAVE BEEN INSPIRED BY ORGANIZATIONS WISHING TO HONOR THOSE WHO HAVE CONTRIBUTED SIGNIFICANTLY TO THE HISTORY AND CHARACTER OF OUR NATION. THIS DESIRE IS ADMIRABLE AND DESERVES TO BE ADDRESSED. AT THE SAME TIME, I RECOGNIZE THAT WE NEED TO LIMIT THE NUMBER OF MEMORIALS IN ORDER TO PRESERVE THE QUALITY OF THE EXISTING ONES. GUIDELINES FOR CONSIDERATION AND ESTABLISHMENT OF COMMEMORATIVE WORKS MUST BE IMPLEMENTED IN ORDER TO PROTECT THE MULTIPLE USE CHARACTER OF THE REMAINING OPEN SPACES IN OUR NATION'S CAPITAL. WHILE THE ESTABLISHMENT OF CERTAIN MEMORIALS PENDING BEFORE CONGRESS IS IMPORTANT TO ME, I WILL NOT FURTHER PURSUE LEGISLATION ESTABLISHING THESE MEMORIALS UNTIL GUIDELINES FOR FUTURE MEMORIALS ARE LAID OUT.

STATEMENT BY SENATOR DALE BUMPERS
SUBCOMMITTEE ON PUBLIC LANDS, RESERVED WATER AND RESOURCE CONSERVATION HEARING
LEGISLATION ESTABLISHING STANDARDS FOR SITING COMMEMORATIVE WORKS IN THE DISTRICT OF COLUMBIA AND ITS ENVIRONS

Mr. Chairman. Let me express my thanks to you for holding this hearing on legislation to establish standards and guidelines for the design, construction, and location of memorials and monuments in the District of Columbia and the surrounding area. As an original cosponsor of the Senate measure, I have a strong interest in hearing from the witnesses scheduled to testify today. With 18 proposals now before Congress to establish memorials and monuments on Federal land in the District of Columbia, the need for such legislation is well documented.

Each year visitors from all parts of our country and from other countries throughout the world climb the stately steps to the Lincoln and Jefferson Memorials, stroll solemnly past the Vietnam Veterans Memorial and gaze up into the faces of those brave Marines memorialized at the Marine War Memorial. These individuals and events are deserving of the monuments and memorials constructed in their honor. The beautiful grounds surrounding these commemorative works greatly enhance their impact on the visitor and provide the open space character of our Nation's Capital.

The situation we are now facing is one of limited land space in the District for erecting such commemorative works and an ever-increasing number of such proposals. The National Park Service estimates that only 50 appropriate sites remain on which to locate these monuments. In an effort to address this situation in the most thoughtful and appropriate manner, Senator Wallop has introduced S. 2522 which would establish standards and guidelines for designing, constructing and locating memorials and monuments commemorating individuals and events of lasting significance to our Nation.

I thank the Chairman of the Subcommittee for holding this hearing and look forward to the comments and recommendations of the witnesses.

STROM THURMOND
SOUTH CAROLINA

The President Pro Tempore
UNITED STATES SENATE

June 23, 1986

Senator Malcolm Wallop,
Chairman, Subcommittee on Public Land and Reserved Water,
Committee on Energy and Natural Resources,
Dirksen Senate Office Building 308
Washington, DC 20510

Dear Malcolm:

This concerns your bill, S.2522, which I understand is scheduled for hearings before your Subcommittee on Tuesday, June 24, 1986. I wish to share your concern about indiscriminate erection and proliferation of monuments and memorials in the Washington area.

However, S.2522 rather strongly and specifically discriminates against military memorials, especially against SJR 43 (Armored Forces Monument), which was passed on September 20, 1985 without opposition. A companion resolution HJR 167, now has 146 co-sponsors in the House of Representatives. It also has a majority of co-sponsors in the Committee on House Administration and in the Task Force on Libraries and Memorials, where it currently awaits hearings.

Both of these resolutions (SJR 43 and HJR 167) would be eliminated by passage of S.2522, as written. SJR 43 and HJR 167 meet the spirit of your bill and represent not one, but 16 Armored Divisions, plus additional 10 division equivalents, when considering the two hundred plus Tank, Armored Artillery/Infantry/Engineer, Mechanized Cavalry, Amphibious, Tank Destroyer and Marine tank units. These units add up to millions of combat veterans of the past four wars, including such heroic commanders as General Creighton W. Abrams, Army Chief of Staff, Major General Bob Grow (6th Armored Division), General George S. Patton, General Jake Devers and General Adna Chaffee, the father of the Armored Force.

I find it difficult to accept denial of this memorial to the Armored Force in the Nation's capital area. It is therefore recommended that S.2522 (and SJR 4378) be amended to permit SJR 43 (and HJR 167) and other similar resolutions previously passed in either the Senate or House to be excluded from S.2522, as an exception.

With respect to my comment on discrimination against the military, S. 2522 with the exception of permitting monuments honoring future wars, it clearly limits the Army and Air Force to one monument each forever. Neither of these services to my knowledge have any plans for monuments in the capital area. Thus, it appears to me that S. 2522 directs an unintentional and all encompassing restriction specifically against the military.

I do not believe this to be the intention of the bill. I suggest that SJR 43 and its companion (HJR 167-Armored Force Monument) and others having passed either the House or the Senate, in this 99th Congress be treated as an exception and excluded from the restrictive language of S. 2522.

I shall appreciate this letter being read at your hearings and made a part of the Subcommittee's record.

Sincerely your friend,

Strom

Strom Thurmond

ST/uj

ERNEST F. HOLLINGS
SOUTH CAROLINA

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INTELLIGENCE
DEMOCRATIC POLICY COMMITTEE
OFFICE OF TECHNOLOGY ASSESSMENT
NATIONAL OCEAN POLICY STUDY

June 23, 1986

The Honorable Malcolm Wallop
Chairman
Subcommittee on Public Lands, Reserved
Water and Resource Conservation
Committee on Energy and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

I am writing in regard to S. 2522, a bill setting standards for placement of commemorative works in Washington, D.C. While I share your concern about the quality and proliferation of monuments in Washington, as a cosponsor of S.J. Res 43 (Armored Force Monument), I recommend an exception be made for this Resolution and its companion bill, H.J. Res. 167, or other similar bills that have been passed during this Congress in either the Senate or the House.

S.J. Res. 43 was passed in the Senate on 20 September 1985. H.J. Res. 167, with 146 cosponsors, is awaiting hearings in the House. I believe these resolutions should not be subject to the restrictive provisions of both S. 2522 and H.R. 4378. Thank you in advance for your consideration of my recommendation.

With kindest regards, I am

Sincerely,

Fritz Hollings

Ernest F. Hollings

EFH:bsa

Senator WALLOP. And then I am going to recess the committee for about 5 minutes while the chairman of the Finance Committee bends my ear on something in advance of the tax bill, and we will be right back. If Congresswoman Oakar is in by then, we will take her testimony. If not, we will interrupt the first panel. So just give me 5 minutes here.

[Recess.]

Senator WALLOP. Let me suggest that the hearing record will remain open for 2 weeks after today, during which time written testimony on either of these measures can be submitted to the committee.

In the interest of time, I am going to ask witnesses to limit oral statements to 3 minutes. We do have a vote on the tax bill at 4 o'clock, and I would hope that we would have given everybody that wished to testify an opportunity. Additional comments may be provided, and the entire testimony of everyone, oral and written, will be included in the record.

So, with that, we will begin with Mr. Jack Fish, Regional Director of the National Capital Region, National Park Service, Mr. Neil Porterfield, Vice Chairman, Commission of Fine Arts, Mr. George White, Architect of the Capitol, Mr. Bob Gresham, Assistant Executive Director for Operations, Colonel Frederick Badger, Assistant Secretary, American Battle Monuments Commission, Mr. Hampton Cross, Administrator of the Building and Land Regulation Administration, Mr. Jack Finberg, Deputy Assistant Regional Administrator for Real Estate of the National Capital Region of GSA, and Mr. Steve Kleiman, Assistant for Installation Planning, Office of the Deputy Assistant Secretary for Installations of the Department of Defense, a most ecumenical panel.

Jack, would you begin, please?

STATEMENT OF MANUS J. FISH, REGIONAL DIRECTOR, NATIONAL CAPITAL REGION, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. FISH. Thank you, Mr. Chairman. We do appreciate the opportunity to provide the committee with comments on the bill. We believe that the legislation along the lines of the bill before you today that sets forth congressional standards for the placement of commemorative works on public lands under the jurisdiction of the Department of the Interior and General Services Administration in the District of Columbia and its environs will be very useful.

Mr. Chairman, we support all the provisions of S. 2522 and recommend its enactment with a few suggested amendments. Section 2(b) defines area I and area II as those lands administered by the National Park Service and GSA within the District and its environs. We understand that the intent of the word "environs" is to include those portions of the George Washington Memorial Parkway in Arlington, Arlington County, and Alexandria, VA.

In that context, we would recommend that GSA properties be eliminated from the environs provision, restricting the effect of the bill to GSA properties within the District. Section 4 redesignates the National Capital Memorial Advisory Committee as currently established by the Secretary as the National Capital Memorial

Commission. In that many of the memorial proposals are military in nature, we would recommend that the Secretary of Defense be added to the current membership. H.R. 4378, which was passed by the House of Representatives on May 5, provides in section 6 the authority to permit temporary location of a commemorative work in area II for not more than 1 year.

Now, such provision is not included in the Senate bill. We favor the authorization in H.R. 4378. We believe that it provides an alternative means of recognizing persons and subjects important to the Nation, but which may be more appropriately located permanently at an area outside of the District of Columbia closely associated with a person or event.

We note that the authority is discretionary with the Secretary in the House bill. The period that such commemorative work may remain is limited to 1 year, and sufficient funds for installation and removal of the work must be available. We assume that the guidelines provided for permanent memorials elsewhere in the bill would apply to these temporary works as well.

That concludes my prepared remarks, Mr. Chairman. I would be pleased to try to answer any questions.

[The prepared statement of Mr. Fish follows:]

STATEMENT OF MANUS J. FISH, REGIONAL DIRECTOR, NATIONAL CAPITAL REGION, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS, RESERVED WATER, AND RESOURCE CONSERVATION, SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES, CONCERNING S. 2522, A BILL TO PROVIDE STANDARDS FOR PLACEMENT OF COMMEMORATIVE WORKS ON CERTAIN FEDERAL LANDS IN THE DISTRICT OF COLUMBIA AND ITS ENVIRONS.

June 24, 1986

Mr. Chairman, I appreciate the opportunity to provide your Committee with the views of the Department of the Interior on S. 2522.

As I testified on March 18, at the oversight hearing which you held on memorials and monuments in the District of Columbia, we believe the criteria that have been adopted by the Secretary of the Interior's National Capital Memorial Advisory Committee to guide our recommendations on memorials are generally good and ought to be adopted by the Congress. Further, as I testified earlier, we believe that legislation along the lines of the bill before you today that sets forth Congressional standards for the placement of commemorative works on the public lands under the jurisdiction of the Department of Interior and General Services Administration in the District of Columbia and its environs will be very useful. As land managers responsible for the park lands in the District and adjacent areas, we particularly appreciate your efforts, beginning with the oversight hearings and including your sponsorship of S. 2522, to place appropriate guidelines for these important commemorative works. We believe the result of this legislation will be to assure continued protection of the open space character of the Nation's Capital and at the same time allow for the placement of commemorative works honoring the highest ideals of this Nation in the most artistic and sensitive manner possible. This legislation is indeed appropriate, and we strongly recommend its adoption in the 99th Congress.

S. 2522 would prohibit the establishment of commemorative works in designated areas referred to on a map unless specifically authorized by Act of Congress.

It directs Congressional authorizing Committees, in considering legislation to authorize such works, to solicit the views of the National Capital Memorial Commission. The bill establishes the Commission, to consist of the Secretary's National Capital Memorial Advisory Committee as currently constructed. The duties of the Commission are to advise the Secretary of the Interior and the Administrator of General Services on policy and procedures for establishment of, and proposals to establish, commemorative works in the District of Columbia.

The bill refers to a map to be on file in the National Park Service and the General Services Administration, which defines the areas covered by the provisions of the bill. These areas include the lands under the jurisdiction of the National Park Service and the General Services Administration within the District of Columbia, and the lands outside the District of Columbia administered by the National Park Service consisting of Memorial Drive and those portions of the George Washington Memorial Parkway in Arlington county and the city of Alexandria, Virginia.

The bill establishes two areas and applies particular guidelines and conditions for commemorative works within each area. General conditions are applied to both Area I and Area II. In addition however, within Area I, which generally is the memorial core of the Nation's Capital, the subject of the commemorative work must be found by the Secretary or the Administrator to be "of preeminent historical and lasting significance to the nation." Further, a determination that a commemorative work should be located within Area I must be approved by a Joint Resolution of Congress within 90 days to be effective. We note that the effect of this provision of S. 2522 is to require statutory determination of significance by the Congress for commemorative works in Area I. We believe this is appropriate.

The bill further sets forth conditions applicable to subject matter, site and design approval, and criteria for construction, as follows:

With respect to subject matter the bill limits military commemoratives only to those commemorating a war or similar major military conflict or a branch of the armed forces; an individual or group of individuals shall not be commemorated until at least 25 years after the death of the individual or the survivor of a group; and all other commemorative works must commemorate a subject of lasting historical significance.

Concerning site and design approval, the bill requires consultation with the National Capital Memorial Commission; it requires approval of the site and design by the Commission of Fine Arts, the National Capital Planning Commission, and the Secretary or the Administrator; and in considering whether or not to approve the site and design the bill requires the Commissions and the Secretary or the Administrator to be guided by criteria that include relevant surroundings, prevention of encroachment on existing commemorative works and protection of open space compatible with existing public use, and construction with durable materials suitable to the outdoor environment.

Concerning criteria for the issuance of a construction permit, the bill requires that the Secretary or the Administrator shall certify to the following: Necessary approvals have been obtained; knowledgeable persons have been consulted; contracts and drawings have been submitted; and sufficient funds to complete construction are available.

The bill further provides that an amount equal to 10% of the estimated cost of construction shall be paid and credited to a separate account in the Treasury to be available, without appropriation, for maintenance of commemorative works. These funds would not be subject to deferral or rescission, nor to sequestration under the provisions of Public Law 99-177.

Additional provisions require documentation of the design and construction, provide for expiration of the authority if a construction permit is not issued within five years, and direct the Secretary or the Administrator to assume responsibility for maintenance of commemorative works.

The bill provides that its provisions shall not apply to commemorative works authorized before the 99th Congress.

Mr. Chairman, we support the provisions of S. 2522 and recommend its enactment with the following suggested ammendments.

Section 2(d) defines Area I and Area II as those lands administered by the National Park Service and General Services Administration within the District of Columbia and its environs. We understand that the intent of the word "environs" is to include those portions of the George Washington Memorial Parkway in Arlington County and Alexandria, Virginia. In that context we would recommend that General Services Administration properties be eliminated from the environs provision restricting the effect of the bill to General Service Administration properties within the District of Columbia.

Section 4 redesignates the National Capital Memorial Advisory Committee, as currently established by the Secretary, as the National Capital Memorial Commission. We would recommend that the Secretary of Defense be added to the current membership.

H.R. 4378, which was passed by the House of Representatives on May 5, 1986, provides, in Section 6, authority to permit temporary location of a commemorative work in Area II for not more than one year. No such provision is included in the Senate bill. We strongly favor the authorization in H.R. 4378. We believe that it provides a non-structural alternative means of recognizing persons and subjects important to the Nation but which may be more appropriately located permanently at an area outside of the District of Columbia closely associated with the person or event. We note that the authority is discretionary with the Secretary in the House bill, the period that such commemorative work may remain is limited to one year, and sufficient funds for installation and removal of the work must be available. We assume that the guidelines provided for permanent memorials elsewhere in the bill would apply to these temporary works as well.

This concludes my prepared remarks Mr. Chairman, I would be pleased to respond to any questions that you may have.

SUPPLEMENTAL STATEMENT OF MANUS J. FISH

The Administration strongly opposes any exemptions from the Gramm-Rudman-Hollings requirements or exemptions from deferral or rescission. While we prefer to have these monies deposited into miscellaneous receipts at Treasury and then subject to the normal appropriations process, we could accept language depositing such receipts into a special account in the Treasury available only for maintenance of commemorative works without appropriations.

We note that there appears to be nothing special about the 10% figure cited in the bill as a maintenance funding requirement. Some memorials may never cost that much to maintain while many others will undoubtedly cost more eventually.

We recommend the language of 8(b) be amended to address these concerns. We will be pleased to work with the Committee to develop appropriate language.

Senator WALLOP. Thank you. What we will do is go on through the panel, and I will have questions for the panel in its entirety. Mr. Porterfield.

STATEMENT OF NEIL H. PORTERFIELD, VICE CHAIRMAN, COMMISSION OF FINE ARTS

Mr. PORTERFIELD. Thank you, Mr. Chairman.

I am happy to testify. As it so happens, we were also happy to testify before at this hearing on the Senate version of the bill to provide standards for the placement of commemorative works in the Nation's Capital.

The Fine Arts Commission has for many years favored such legislation and testified earlier this year on the subject before this subcommittee and the House Subcommittee on National Parks and Recreation. The quality of open space in the Capital is one of the Commission's highest priorities, and we are concerned by the unusually large number of memorials currently being proposed.

We are pleased to note the wider scope of this bill as compared with the House bill, 4378, specifically, the inclusion of lands administered by the General Services Administration as well as the National Park Service. This would protect the very important Federal Triangle area in the city. We find that the method for proposing a memorial in area I and the requirement for congressional approval within 90 days strengthens the control over that area, yet does not exclude it entirely.

We also note the clear spelling out of the fact that all commemorative works in area I and area II must be authorized by Congress. A new provision that we would look on with favor is the one requiring that the appropriate congressional authorizing committees shall solicit the views of the National Capital Memorial Commission. Also in the new bill is the language defining areas I and II and the definition of what is included in the term "District of Columbia and its environs."

The rewriting of the site design and construction permit process has greatly clarified this part of the legislation. We note that unlike the House bill, the Senate version does not address temporary memorials. There might be some merit in studying this so that if the occasion arises there would be adequate criteria and controls to ensure that such works would be of high quality and worthy of a position in the Nation's Capital.

In summary, the commission of Fine Arts finds the Senate bill much improved and strengthened, and I would be happy to answer any questions the committee might have.

[The prepared statement of Mr. Porterfield follows:]

THE COMMISSION OF FINE ARTS
ESTABLISHED • BY • CONGRESS • MAY • 17, 1910
708 JACKSON PLACE, N.W
WASHINGTON, D.C. 20006
202-566-1066

STATEMENT OF NEIL H. PORTERFIELD, VICE CHAIRMAN, COMMISSION OF FINE ARTS, ON S. 2522, A BILL TO PROVIDE STANDARDS FOR PLACEMENT OF COMMEMORATIVE WORKS ON CERTAIN FEDERAL LANDS IN THE DISTRICT OF COLUMBIA AND ITS ENVIRONS, BEFORE THE SENATE SUBCOMMITTEE ON PUBLIC LANDS, RESERVED WATER, AND RESEARCH CONSERVATION

24 JUNE 1986

Dear Mr. Chairman:

I am happy to testify at this hearing on the Senate version of a bill to provide standards for the placement of commemorative works in the Nation's Capital.

The Commission of Fine Arts has for many years favored such legislation and testified earlier this year on the subject before this Subcommittee and the House Subcommittee on National Parks and Recreation. The quality of open space in the Capital is one of the Commission's highest priorities, and we are concerned by the unusually large number of memorials currently being proposed.

We are pleased to note the wider scope of S. 2522 as compared with H.R. 4378, specifically, the inclusion of lands administered by the General Services Administration as well as the National Park Service. This would protect the very important Federal Triangle area in the city, but unfortunately not the area around the Pentagon across the Potomac. For the sake of consistency alone, because of its proximity to the George Washington Memorial Parkway, this area should be included.

We find that the method for proposing a memorial in Area I and the requirement for Congressional approval within 90 days strengthens the control over that area, yet does not exclude it entirely.

We also note the clear spelling out of the fact that all commemorative works in Area I and Area II must be authorized by Congress.

A new provision that we would look upon with favor is the one requiring that "the appropriate Congressional authorizing committees shall solicit the views of the National Capital Memorial Commission."

Also helpful in the new bill is the language defining Areas I and II and the definition of what is included in the term "District of Columbia and Environs." The rewriting of the site, design, and construction permit process has greatly clarified this part of the legislation.

We note that unlike the House bill, the Senate version does not address temporary memorials. There might be some merit in studying this, so if the occasion arises, there would be adequate criteria and controls to ensure that such works would be of high quality and worthy of a position in the Nation's Capital.

In summary, the Commission of Fine Arts finds the Senate bill much improved and strengthened, and I would be happy to answer any questions the committee members may have.

Senator WALLOP. Thank you, Mr. Porterfield. We may have some questions about that, and maybe even perhaps the Lincoln Memorial.

Mr. White.

STATEMENT OF HON. GEORGE M. WHITE, ARCHITECT OF THE CAPITOL

Mr. WHITE. Thank you, Mr. Chairman.

My experience in having been a member of the National Capital Memorial Advisory Committee from its inception, coupled with my responsibilities for maintaining the landscape features of the Capitol Grounds provides the basis for my affirmative judgment regarding the proposed legislation.

The Senate bill, as you are aware, is basically the same as the House bill, with some minor changes, and I endorsed the House bill in testimony before the House Committee on Interior and Insular Affairs.

I am in strong support of S. 2522 in general and specifically in the following areas. I agree with the continued stringent restrictions regarding area I, and I am in full support of the concept of limited site designation in area II. I believe that the designation of the present National Capital Memorial Advisory Committee as the National Capital Memorial Commission and its opportunities to advise the Congress is an excellent proposal which will add strength to the whole process.

I believe that the concept of all necessary private funds being available prior to beginning work is an extremely important provision which I support fully. We have had some adverse experiences along those lines in other areas. The addition of the areas administered by the General Services Administration is, I think, a positive move in this bill as opposed to the House bill.

I believe that there should be extension of that throughout the area. I believe that those who are interested in providing places or seeking places for memorial locations will seek the places that still remain. If restrictions are not placed on all of them, I support that fully, and with regard to the temporary location of memorials for 1 year as provided in the House bill, I think that is worthy of consideration, but it is important, it seems to me, for there to be strong teeth in that provision.

There is nothing more permanent than temporary structures, in my judgment. As you know, we had some World War I structures on The Mall which did not get raised until 1971. So I think it is a good idea provided it will be implemented properly.

Thank you, Mr. Chairman. That is all I have to say.

Senator WALLOP. Thank you, Mr. White.

Mr. Gresham.

STATEMENT OF ROBERT E. GRESHAM, ASSISTANT EXECUTIVE DIRECTOR FOR OPERATIONS, NATIONAL CAPITAL PLANNING COMMISSION

Mr. GRESHAM. Mr. Chairman, we also appreciate this opportunity to present the views of the National Capital Planning Commission on the two bills. The general purposes of both bills embody concerns which the Commission has had for some time, and the Commission therefore supports them and endorses their inclusion in legislation which provides a general framework for considering proposed memorials instead of the piecemeal consideration of some aspects of the situation as we have had in the past.

The Commission endorses the inclusion in the Senate bill of lands under the jurisdiction of the Park Service in both areas I and II, and the General Services Administration in area I. However, we also do not believe that GSA lands in area II should be included. The NCPC supports the concept contained in both bills of limiting monuments or memorials on lands within area I of the National Capital region, and in our view the Senate bill provides a more effective mechanism to assure appropriate memorials in area I than does the House bill.

The Commission believes that the boundaries of area II on the map referenced in the Senate bill, including the George Washington Memorial Parkway and Memorial Drive in Arlington County are preferable to area II as it appeared on the map considered during the House hearings. We also generally endorse the requirement contained in both bills that new commemorative works in area I and area II may be constructed only as specifically authorized by an act of Congress, and only if these works meet a number of specified conditions.

These conditions are generally consistent with Commission policies as expressed in the comprehensive plan. However, we do note that at least from our reading the House bill is unclear as to whether the restrictions in section 5(c) relating to area II are also applicable to area I. The Commission particularly favors a provision of the Senate bill that site selection and design shall be approved by the Secretary of Interior or the Administrator, GSA, in addition to the Planning Commission and the Commission of Fine Arts.

We feel these reviews are desirable to ensure participation by the agencies having expertise in planning, esthetics, and in the management of the memorials. In our view, the House bill is unclear as to whether site selection and design of memorials require approval of the Secretary of Interior as it does on the part of the two Commissions.

That completes my comments, Mr. Chairman. I would be glad to respond to any questions.

[The prepared statement of Mr. Gresham follows:]

NATIONAL CAPITAL PLANNING COMMISSION
1325 G STREET N.W.
WASHINGTON, D.C. 20576

STATEMENT

of

ROBERT E. GRESHAM
Assistant Executive Director for Operations
NATIONAL CAPITAL PLANNING COMMISSION

on

S. 2522 and H.R. 4378

before the

SUBCOMMITTEE ON PUBLIC LANDS, RESERVED
WATER AND RESOURCE CONSERVATION
of the
COMMITTEE ON ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE

June 24, 1986

Mr. Chairman and members of the Committee, my name is Robert E. Gresham. I am the Assistant Executive Director for Operations of the National Capital Planning Commission (NCPC), the central planning agency for the Federal Government in the National Capital Region. With me today is the NCPC General Counsel, Katherine Barns Soffer. I appreciate this opportunity to present the views of the Commission on S. 2522 and H.R. 4378.

S. 2522 and H.R. 4378 would govern the establishment of commemorative works on certain Federal lands in the District of Columbia and its environs. The purposes of the legislation are:

(1) To ensure the continued public use and enjoyment of park lands;

(2) To preserve, protect, and maintain the limited amount of open space which those lands provide;

(3) To ensure that future commemorative works placed on said lands be appropriately designed, constructed, and located; (and, in the case of S. 2522):

(4) To preserve the integrity of the comprehensive design of the L'Enfant and McMillan plans for the Nation's Capital; and

(5) To ensure that future commemorative works reflect a consensus of the lasting national significance of the subjects involved.

These general purposes embody concerns which the NCPC has had for some time. We therefore support them and endorse their inclusion in legislation which provides a general framework for considering proposed memorials, instead of piecemeal consideration of some aspects of the situation.

The legislation taken as a whole and many of its specific provisions are consistent with NCPC policy and the Comprehensive Plan for the National Capital. The Comprehensive Plan was prepared pursuant to Section 4 of the National Capital Planning Act of 1952, as amended (40 U.S.C. 71c) to serve as a guide to the development of the Federal establishment and to identify Federal interests in the National Capital Region.

The Federal Facilities element of the Comprehensive Plan contains a number of planning objectives and a number of policies regarding the location of memorials in the National Capital. A copy of those objectives and policies is attached to this testimony as an appendix. The major planning objective of the element is to promote the location of commemorative works throughout the National Capital to enhance all areas of the seat of Government. Policies in the element serve to carry out this objective. The element also provides guidelines for siting of memorials.

We endorse the inclusion in S.2522 of lands under the jurisdiction of the National Park Service in Areas I and II and the General Services Administration in Area I. H.R. 4378 appears to govern only Park Service lands. However, we do not believe GSA lands should be included in "Area II."

The NCPC supports the concept, contained in both bills, of limiting new monuments or memorials on lands within "Area I" of the National Capital Region. In our view, Section 6(a) of S. 2522 provides a more effective mechanism to assure appropriate memorials in "Area I" than does Section 5(b) of H.R. 4378.

The NCPC believes that the boundaries of "Area II" on the map referenced in S.2522, including the George Washington Memorial Parkway and Memorial Drive in Arlington County, Virginia, are preferable to "Area II" as it appeared on the map considered during the House hearings on H.R. 4378.

We also generally endorse the requirement, contained in both bills, that new commemorative works in "Area I" or "Area II" may be constructed only if specifically authorized by an Act of Congress, and only if the works meet a number of specified conditions. These conditions are generally consistent with past NCPC policies and with the Comprehensive Plan. However, H.R. 4378 is unclear as to whether the restrictions in Section 5(c) relating to "Area II" are also applicable to "Area I".

The NCPC particularly favors the provision in Section 7(a)(2) of S. 2522 that site selection and design shall be approved by the Secretary of the Interior or the Administrator of the General Services Administration, NCPC, and the Commission of Fine Arts. These reviews are desirable in order to ensure participation by the agencies having expertise in planning, aesthetics, and the management of memorials. In our view, Section 4(2) of H.R. 4378 is unclear as to whether site selection and design of memorials require approval of the Secretary of the Interior as well as NCPC and the Commission on Fine Arts.

If you have any questions about the NCPC's views, I will be pleased to answer them.

APPENDIX

The Federal Facilities element of the Comprehensive Plan contains the following planning objectives and policies regarding the location of memorials in the National Capital:

> It is a goal of the Federal Government to:
>
> PROVIDE FOR THE EFFICIENT AND EFFECTIVE OPERATION OF THE FEDERAL ESTABLISHMENT WHILE CONTRIBUTING TO THE GENERAL ORDER AND BEAUTY OF THE NATIONAL CAPITAL...by
>
> . . . .
>
> (g) promoting and planning for the location of monuments and memorials, sculpture and murals, fountains and public gardens throughout the National Capital;
>
> * * *
>
> Cultural, Memorial and Information Facilities
>
> 1. Federal memorials devoted to the commemoration of persons or events should locate in areas... as follows:
>
> a. Federal memorials, as authorized by the Congress, should locate within appropriate areas throughout the National Capital. Preference should be given to sites within Special Places, along Special Streets, at locations which provide visual prominence, gateway entrances, vistas or overlooks or have special features that would enhance the memorial;
>
> b. Only Federal memorial facilities that are of exceptional national or international significance, such as those associated with presidents and/or momentous national or international events, should locate within the central monumental area 2/; and
>
> c. Memorials to persons or events having strong functional or traditional association with specific areas of the National Capital should be given preference in locations in those areas. Memorials should be designed and sited to be sympathetic to their locations.

2/ Includes the Mall, the Ellipse, the Washington Monument Grounds, East and West Potomac Park, Theodore Roosevelt Island, and Lady Bird Johnson Park.

Memorials

1. The basic forms of the Mall which provide settings for existing monuments and memorials should be considered as established and no memorial should be allowed in the tree panels or greensward of the Mall or that would disrupt the overall axial landscape design.

2. The adaptation and refinement processes necessary to complete the central portion of the Monument[al] Core as a *fine* work of civic art should be continued in the development of individual project proposals within the existing basic form and framework.

3. New memorials to be located in the L'Enfant City and environs should be carefully sited to refine and complete the L'Enfant and McMillan Plans so far as possible.

4. National cemeteries and other open-spaces generally intended to foster public commemoration of persons or events should be kept relatively free of large scale individualized monuments which may disrupt the site's overall sense of repose or tribute.

Senator WALLOP. Thank you, Mr. Gresham. I appreciate it.
Colonel Badger.

STATEMENT OF COLONEL FREDERICK BADGER, ASSISTANT SECRETARY, AMERICAN BATTLE MONUMENTS COMMISSION

Colonel BADGER. Mr. Chairman, the American Battle Monuments Commission wishes to thank you for the opportunity to present its views on these bills. The Commission recognizes the need for a bill such as Senate 2522 and recommends its enactment. However, we do not believe that one Federal agency should be required to reimburse another Federal agency for the responsibility assigned to that agency. Therefore the Commission proposes that on line 3, page 8, after the words "commemorative work," insert the following, "Federal agencies erecting a commemorative work are exempt from this payment."

Thank you again for the opportunity to present the Commission's views on this bill.

Senator WALLOP. Thanks, Colonel Badger.

Mr. Cross.

STATEMENT OF HAMPTON CROSS, ADMINISTRATOR, BUILDING AND LAND REGULATION ADMINISTRATION, DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS, DISTRICT OF COLUMBIA, ACCOMPANIED BY STEVEN RAISH, PROGRAM MANAGER, HISTORIC PRESERVATION DIVISION

Mr. CROSS. Thank you, and good afternoon, Mr. Chairman. My name is Hampton Cross, and I am appearing on behalf of Carol B. Thompson, who is the State historic preservation officer for the District of Columbia.

I am accompanied by Mr. Steven Raisch, who is the program manager for the Historic Preservation Division. The Historic Preservation Division, which is part of the Department of Consumer Regulatory Affairs, reviews monuments, memorials, and statues to be erected on Federal, public lands for compliance with section 106 of the National Historic Preservation Act of 1966 as amended.

The Division also reviews some local monuments, memorials, or statues under the Historic Landmark and Historic District Protection Act of 1978. The D.C. government generally supports the purposes of both the Senate bill, S. 2522, and the House of Representatives act, H.R. 4378, regarding placement of monuments and memorials on public lands in the Nation's Capital. Clearly, it is essential to preseve the integrity of the major public buildings, memorials, monuments, and parks, and other elements developed within the L'Enfant plan and the MacMillan plan.

Placement and design of future monuments and memorials must also be consistent with the character and integrity of the underlying symbolic design features of the monument for the city. The National Capital Memorial Commission proposes that these actions should therefore be allowed as much flexibility as necessary in evaluating the placement and designs of future monuments and memorials on a case-by-case basis, including site selection and designation of areas where new future memorialization should occur.

The establishment of conditions within area I and area II as set forth in the House of Representatives act is consistent with this need. The condition excluding memorialization of individuals until 25 years after their death is appropriate, as it is a similar concept to the National Register of Historic Places policy, which severely limits inclusion of buildings less than 50 years old.

In summary, the general criterion and conditions for authorization, location, and design approval are also consistent with the need for both sensitive and flexible protection of the historic character of the Nation's Capital. The District of Columbia looks forward to assisting the National Capital Memorial Commission in reviewing the location and design of proposed memorials to best preserve the historic and esthetic character of this great city.

Thank you for this opportunity to allow me to testify regarding this matter. I am, of course, prepared to answer any of your questions.

[The prepared statement of Ms. Thompson follows:]

STATEMENT OF CAROL B. THOMPSON
FUTURE MEMORIALS IN THE NATION'S CAPITAL
FOR
THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS
BEFORE
SENATE SUB-COMMITTEE ON PUBLIC LANDS, RESERVED WATER AND RESOURCE CONSERVATION PERTAINING TO FUTURE MEMORIALS IN THE NATION'S CAPITAL
ON
JUNE 24, 1986

Good afternoon, Senator Wallop and members of the Subcommittee, my name is Carol B. Thompson, the State Historic Preservation Officer for the District of Columbia. With me today is Mr. Stephen Raiche, Program Manager, Historic Preservation Division. The Historic Preservation Division which is part of the Department of Consumer and Regulatory Affairs reviews monuments, memorials, and statues to be erected on federal public lands for compliance with Section 106 of the National Preservation Act of 1966 as amended. The Division also reviews some local monuments, memorials or statues under the Historic Landmark and Historic District Protection Act of 1978 (D. C. Law 2-144).

The District of Columbia government generally supports the purposes of both the Senate Bill S.2522 and the House of Repesentative Act H.R.4378, regarding placement of monuments and memorials on public lands in the Nation's Capital. Clearly it is essential to preserve the integrity of the major public buildings, memorials, monuments and parks and other elements developed within the L'Enfant Plan and the McMillan Plan. The placement and design of future monuments and memorials must also be consistent with the character and integrity of the underlying symbolic design features of the monumental core of the city. The National Capital Memorial Commission proposed in these actions should therefore be allowed as much flexibility as necessary in evaluating the placement and designs of future monuments and memorials on a case by case basis, including site selection and designation of areas where no future memorialization should occur. The establishment of conditions within Area I and Area II as set forth in the House of Representatives Act is consistent with this need. The condition excluding memorialization of individuals until twenty-five years after their death is appropriate as it is similar in concept to the National Register of Historic Place's policy which severely limits inclusion of buildings less than fifty years old. In summary, the general criteria and conditions for authorization, location and design approval are also consistent with need for both sensitive and flexible protection of the historic character of the Nation's Capital.

The District of Columbia looks forward to assisting the National Capital Memorial Commission in reviewing the location and design of proposed memorials to best preserve the historic and aesthetic character of this great city.

Thank you for this opportunity to allow me to testify regarding this matter. I am prepared to answer any of your questions.

Senator WALLOP. Thank you, Mr. Cross.
Mr. Finberg.

STATEMENT OF JACK FINBERG, ASSISTANT REGIONAL ADMINISTRATOR FOR PUBLIC BUILDINGS AND REAL PROPERTY, NATIONAL CAPITAL REGION, GENERAL SERVICES ADMINISTRATION

Mr. FINBERG. Thank you.

The General Services Administration wishes to thank the subcommittee for the opportunity to submit its views on this legislation. We will address the issues presented by the legislation of most importance to GSA.

GSA wishes to state at the outset that we strongly support the objectives of this legislation, namely, to formally establish a methodology to control the placement of commemorative works within the environs of our Nation's Capital. As we indicated before the House Subcommittee on National Parks this past April, without the benefit of any established legislation in this subject area, the Secretary of the Interior's National Capital Memorial Advisory Committee essentially has served informally as a means of protecting and maintaining the unique magnificence of this Nation's Capital.

The major distinction between H.R. 4378 and S. 2522 is the scope of coverage. While H.R. 4378 is limited to commemorative works on National Park Service land, S. 2522 also includes lands administered by GSA. Recognizing the obvious need for restrictions, we support the intent of the Senate to include lands administered by GSA. However, we recommend that the legislation be amended to provide that only area I lands cover both GSA and National Park Service land, and that no GSA lands in area II be included.

In addition, we wish to state for the record our support of the provision contained in both H.R. 4378 and S. 2522 that calls for the redesignation of the National Capital Memorial Advisory Committee as the National Capital Memorial Commission. However, we suggest that the provision be revised to set forth the specific membership of the Commission as well as add representation from the Department of Defense.

Currently, the advisory committee does not include representation from DOD, though in meetings of the advisory committee at which memorials concerning military matters have been discussed the Secretary of Defense has been invited to and participated in such discussions.

Finally, we are concerned with provisions in both H.R. 4378 and S. 2522 dealing with the promulgation of regulations to carry out legislation within a specified time period after its enactment. Section 9 of H.R. 4378 directs the Secretary of Interior to promulgate such regulations within 90 days. Section 10 of S. 2522 requires the Secretary and Administrator of General Services to promulgate regulations within 120 days. We question whether it is appropriate to contain a statutory deadline for the promulgation of regulations, since the subject matter regulations would be of interest to all of the Federal agencies represented in the National Capital Memorial Commission.

As an alternative, we suggest that at a minimum a period of 180 days be afforded.

This concludes my official statement, and I would be happy to answer any questions that you may have.

Senator **Wallop**. Thank you very much.

Mr. Kleiman.

STATEMENT OF STEVEN N. KLEIMAN, ASSISTANT FOR INSTALLATION PLANNING, OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE, DEPARTMENT OF DEFENSE

Mr. **Kleiman**. Mr. Chairman, it is a pleasure to be here to participate in this hearing on a bill to provide standards for the placement of commemorative works on certain Federal lands in the District of Columbia and its environs.

The Department of Defense was formally invited to participate on the Secretary of Interior's National Capital Memorial Advisory Committee in October 1984. Our participation is currently limited to consideration of military memorials and monuments.

My comments before you today represent the Defense Department's views on Senate bill 2522 and the related bill from the House of Representatives, H.R. 4378.

With respect to the boundaries of area I and area II, we support area I as defined in the Senate bill and recommend further that area II be the remainder of the District of Columbia as well as the lands under the jurisdiction of the National Park Service in Virginia, including Memorial Drive, the Iwo Jima statute area, and nearby portions of the George Washington Memorial Parkway.

We support the Senate version of the legislation that defines the application of the legislation to land under the jurisdiction of the National Park Service in areas I and II and GSA land in area I. We do not believe that properties under the control of the General Services Administration need to be included in area II.

The prohibition of all new commemorative works in area I raises questions with regard to memorials which have already been authorized by Congress and those for which authorizing legislation is currently pending before Congress.

H.R. 4378 provides that no commemorative work may be located in area I unless the Congress finds that the subject is of such major historial and lasting significance to the Nation as a whole that placement in any other site would be inappropriate. We concur in this provision. There are four memorials which have not been constructed, but authority for which has already been enacted into law. These are the Franklin Delano Roosevelt Memorial, the Law Enforcement Heroes Memorial, the Haym Solamon Memorial, and the Kahlil Gibran Memorial. With respect to the pending memorials for which legislation has not been enacted, the one which we believe meets the criteria for placement in area I without question is the proposed Korean War Memorial.

We offer no judgment with respect to the significance of the persons or events sought to be commemorated in other pending bills. Since the prerogative to designate national memorials has been expressly reserved to Congress in section 120 of Public Law 96-199, we assume that future authorizations will meet whatever criteria Congress chooses to adopt.

We recommend that section 4 of Senate bill 2522, which establishes the National Capital Memorial Commission, be revised to set forth the specific membership of the Commission and to add representation from the Department of Defense.

The existing Advisory Committee as currently chartered does not include representation from DOD. In meetings of the committee at which memorials concerning military matters have been considered, the Secretary of Defense has been invited to participate and has done so. We believe any statutory commission should also provide for representation of DOD.

Section 2 of H.R. 4378 would make provisions of the bill inapplicable to any commemorative work authorized by legislation passed by either House of Congress on or before November 6, 1985, and enacted into law after that date.

We strongly recommend against this provision, and note that the Senate bill does not contain this provision. If the criteria in the proposed legislation are sound, and we believe they are, they should apply to every commemorative work constructed or located on park land in the future, regardless of when such work was or may be authorized.

Definitive criteria is necessary to ensure that the remaining sites in the Nation's Capital, particularly those in the monumental core, are reserved for persons or events of national or international significance. Issues such as memorial location, jurisdiction, design, funding, and maintenance need to be codified, and the Department of Defense welcomes the opportunity to provide input into the process.

Senator **Wallop**. Thank you very much, Mr. Kleiman.

Jack, your statement indicates the Park Service supports statutory determination of significance by Congress for placement of commemorative works in area I. Both bills require congressional authorization for such placement. However, our bill, Senate bill 2522, leaves the initial recommendation to the Secretary or the Administrator after consultation with the Memorial Commission. I wonder if you would have a preference.

Mr. **Fish**. I guess, Mr. Chairman, that I would prefer it where the Congress makes that determination with the advice of the Memorial Commission for area I. As you know, the House bill on the temporary locations puts that with the Secretary or the Administrator, but I think for area I and area II think that Congress should make that decision.

Senator **Wallop**. My own inclination is the same way. I think that particularly area I, if you are going to be doing something of that nature, it probably requires congressional approval, and I think it is probably a bit much to ask—well, it will happen anyway, will it not, I mean, if Congress does not approve it and take some actions, so they might just as well be in on the first bite as the second.

Mr. **Fish**. I think that is true.

Senator **Wallop**. Both require private sponsors for the projects to provide 10 percent for the cost of construction for future maintenance. The Senate bill provides that the funds be placed in a separate account in Treasury to be used only for the purpose for which they were deposited, that is, maintenance. Do you have any thoughts on the workability of that concept?

Mr. **Fish**. I think that can work, Mr. Chairman, and I think it is a good thought. We do have something similar to that at the LBJ Memorial, where there are some funds that we draw on. Those funds are deposited sort of in an endowment with the National Park Foundation, and that has worked out very well over the years for purchase of trees and things like that. Basically it is a landscape solution, as you know, so that particular provision, I think, would be very helpful, and we do have a backlog. There is just no question about it. With the 200 memorials we have around in our area that we have to take care of, we have a tremendous backlog in trying to get things done, so that would be very helpful.

Senator **Wallop**. Does that solve any of your problems, Colonel Badger?

Colonel **Badger**. Sir, we are recommending against a Federal agency having to put 10 percent for maintenance because we feel that Federal agency is using appropriated funds which they would have to request to go into a reserve. I do not know whether it would actually be called upon or not, and I would recommend that the Federal agency, in our case the American Battle Monuments Commission, if there is major repair in a memorial that we built, that we would go ahead and fund and do that particular repair work.

Senator **Wallop**. With regard to the temporary site authorizations in H.R. 4378, do you believe that the language contained in the House bill provides you with adequate guidance to establish such a site, and if not, how should Congress determine which work should be permanently sited and which should be given temporary locations if all the projects have got to meet all the criteria contained in this legislation.?

Mr. **Fish**. That would be very difficult, Mr. Chairman. I think that as regards the temporary location, that the guidelines that are in the bill for the permanent locations in area I and area II should be concerned with that temporary area. I think that would be helpful. I think that some of them are going to be a very close call, but I think the idea of a temporary location and having the opportunity for a group to have their monument, commemorative work in Washington, and then locate it permanently in another area of the country is quite proper. It probably will be difficult to administer.

Senator **Wallop**. I think it is difficult to administer without it.

Mr. **Fish**. That is true.

Senator **Wallop**. Because it is an invitation to political exception, and that becomes increasingly difficult to weigh in the balance. I would rather have Congress do that affirmatively rather than negatively, affirmatively remove the criteria rather than sort of negatively subject the capital to the one year split judgment.

Mr. Porterfield, in your statement, you suggested that there might be some merit in looking at a temporary site for memorials. Should the memorials to be located at temporary sites meet the same criteria as those to be permanently located? And if not, is there some area where it need not be so stringent?

Mr. **Porterfield**. I think that the general qualitative analysis should be the same because if they are appropriate, if they are going to end up somewhere, then one of the ideas you might think about is the establishment of a commemorative memorial monument park which could be established for the repository for this kind of—where it has a temporary home in some prominent spot within the District, and that at some given date would be moved to this park.

This is not a new notion. I understand that this is done in some European cities with the idea that it allows—we are talking about forever, and forever is an awful long time. It would allow for some flexiblity in the reestablishment of monuments through time that might even come back to the District on occasion. But to answer your question directly, I think that all of these proposed monuments should pass the same stringent evaluation.

Senator **Wallop**. Memorials on wheels.

Mr. **Porterfield**. Perhaps. Some memorials do not lend themselves to movement, but many of them do, as a matter of fact.

Senator **Wallop**. Well, in some respects it is not a bad thought to think that you might have some things that would be trotted out for their national day or a cycle of anniversaries.

Mr. Gresham, both bills redesignate the National Capital Memorial Advisory Committee as the National Capital Memorial Commission. Certainly by including the General Services Administration in the scope of S. 2522 it is necessary to broaden the role of the current Advisory Committee. Does the National Capital Planning Commission support this concept of redesignation of the Advisory Committee to a Commission?

Mr. **Gresham**. The Commission itself had had some concern about that, Mr. Chairman, but I understand the administration's position is one of supporting the change in the designation.

Senator **Wallop**. Well, can you give me a quick sort of look at what the Commission's concerns were?

Mr. **Gresham**. As I understood from their discussion, there were primarily just two points, one that the committee they felt had functioned well, and it was sort of a case of do not fix it if there is no problem, and the second was just a concern of proliferation of established bodies, and I think those were the two points that were raised in the discussion.

Senator **Wallop**. Mr. Finberg, you have suggested that there be no GSA restrictions in area II, and I wonder why not. Why would you be out?

Mr. **Finberg**. The definition of area II goes out over the river into Virginia, and we do not believe those areas are appropriate under this legislation. We would strongly endorse it if it pertained to inside the District of Columbia, but as it is structured now we would not want the GSA lands on the other side of the river to be included.

Senator **Wallop**. That I know, but you have not yet told me why.

Mr. **Finberg**. We feel that right now the major criteria is the monumental core, and we are supporting the administration position that the lands only in the District of Columbia ought to be included.

Senator **Wallop**. Can I try one more time to get you to tell me why?

Mr. **Finberg**. There are some of our major property holdings like the Pentagon in particular where it is more of a military establishment, and the role falls in between, and we just feel the legislation ought to be limited to more public buildings.

Senator **Wallop**. You do not suppose by doing that those would become a repository for everyone's memorial idea. That could not make the criteria in area I or the remainder of area II which did not include GSA. I mean, I can understand one side of it, but the other side of it is, you are going to be under significantly greater pressure.

Mr. **Finberg**. For area II?

Senator **Wallop**. To have things memorialized on those properties, because they will be free from the constraints of the Commission.

Mr. **Finberg**. They might be free from the constraints, but a lot of the properties—some of the properties are like the Department of Interior, OMB. There is just not sufficient land for people to build, and they would be away from where the major tourists would be.

Senator **Wallop**. But that is the point of the Commission.

Mr. **Finberg**. But if you had a monument, you probably would not want it located in that area.

Senator **Wallop**. So you ought to be more comfortable. That would certainly be what the Commission would consider. I mean, that is among the criteria that it has.

Mr. **Finberg**. If the Congress delineates the area, we can live with it either way.

Senator **Wallop**. Colonel Badger, does the American Battle Monuments Commission support the criteria established in S. 2522 and H.R. 4378 for military memorials?

Colonel **Badger**. Yes, sir; we do. We feel that the decision to put a major war memorial in area I should rest with Congress and, of course, support that.

Senator **Wallop**. Well, we thank you very much. We appreciate your taking time to come down this afternoon.

The next panel is Mr. Ralph Spencer, regional vice chairman, American Veterans Committee, accompanied by Ms. June Willenz, executive director of the American Veterans Committee, Col. James Leach, U.S. Army, retired, American Armored Force Committee, Mr. Lyle Bernard, secretary-treasurer, Monument Fund Committee, Society of the Third Infantry Division, accompanied by Leonard Worth.

Mr. Spencer.

STATEMENT OF RALPH SPENCER, VICE CHAIRMAN, AMERICAN VETERANS COMMITTEE, INC., ACCOMPANIED BY JUNE WILLENZ, EXECUTIVE DIRECTOR, AMERICAN VETERANS COMMITTEE

Mr. **Spencer**. Thank you, Mr. Chairman, for the opportunity to appear before your subcommittee. The American Veterans Committee supports the intent of this legislation to ensure the proper utilization of our public lands, particularly the core area between the Mall and the monument, for commemorative purposes in such ways as do not violate the character and the spirit of the remarkable national treasure that those lands represent.

It is our belief that the American people have vested in the Congress the responsibility of authorizing appropriate memorials. We are therefore troubled by some of the language of the legislation, S. 2522, which seems to shift some of that responsibility to the Secretary of the Interior, and whereas section 3 clearly indicates that no commemorative work may be established in designated areas unless specifically authorized by Act of Congress, section 6(a) seems to grant a veto power when initial proposals are made to the Secretary of the Interior. It seems to us that by giving the Secretary of the Interior this prerogative, this language transfers the burden of decisionmaking from the Congress to the Secretary of the Interior. We do not believe the Secretary of the Interior should be given an initial veto power that seems implicit in section 6(a).

Therefore, we urge modification of the language in S. 2522 to make loud and clear that the Congress has the full responsibility for making the choices, including the initial review and advice of the Secretary with the advisory bodies of the Secretary of the Interior should, of course, be sought. We would suggest another change in S. 2522 that would add language similar to that in H.R. 4378. This language in section 11 of that bill states that this act shall not apply with respect to either of the following: One, a commemorative work authorized by law, enacted on or before the commencement of the 99th Congress, or two, a commemorative work authorized by a bill or joint resolution passed by either House of the Congress on or before November 6, 1985, and enacted into law after that date.

This language would exclude from the provisions of S. 2522 those bills providing for three memorials which have already passed the House of Representatives last year by recorded vote, indicating that there is a clear consensus for those three memorials, the Korean War Memorial, the Black Revolutionary War Patriots Memorial, and the Women Veterans Memorial. We have urged that these memorials, which have already been voted by one branch of the Congress, not be subject to the provisions of this legislation.

AVC firmly believes women who have served our country in the Armed Forces throughout our history deserve recognition for their achievements and their contributions to the defense and security of the Nation. Beginning with the women of the Army during the Revolutionary War through all our wars, women have provided major assistance to help preserve the Republic when it has been threatened. Women have always been volunteers ready to step into the breach when needed. They have been active partners with men in forging a nation and in preserving it beginning with the War for Independence.

That record is solidly a part of our history. Today, women make up 10 percent of the total military force. Women, like men, are making careers in the military services, and deporting themselves with the highest professional decorum. They have splendid records for performance at many levels, and yet that proud record is largely unknown. Until recently, women's contributions were not featured in history texts. Children, boys as well as girls, did not grow up reading about women who had participated actively in building and preserving the Nation, especially in time of war.

Happily, there have been some modern historians who have been correcting the historic record, which will mean that our daughters and granddaughters will have these kinds of role models as they grow up which were missing before. I might mention that our veterans' organization, I believe, is the only national veterans' organization that has a woman as our executive director. Ms. Willenz recently authored a book entitled "Our Women Veterans, Forgotten Heroines," which goes into this whole story in considerably more detail.

The American Veterans Committee has been proud to support the creation of a women's veterans memorial 3 years ago. AVC's national board endorses special projects to further the role of women in the military services and their contribution to the national defense, including the establishment of appropriate memorials to honor them. This honor is long overdue. It is one we owe to all women in the past, the present, and in the future. Veteran has meant male in the public mind. This memorial would correct this misconception and provide the recognition that women deserve.

To carry out its mandate, the AVC has set up a not-for-profit corporation under the laws of the District of Columbia. Women in Military Service for America Foundation is in the process of forming its permanent board of directors and advisory committee. This foundation will be able to coordinate a public campaign to develop public interest in the memorial, and when appropriate initiate a fundraising effort to carry out the activities leading to the design and then the actual construction of the monument. Already a good deal of interest has come from women veterans and their families throughout the country as well as from women nonveterans.

Without any effort to publicize the memorial, it has already attracted a great deal of attention and support. There is no doubt in our minds that this is an idea whose time has come. We hope that when S. 2522 is reviewed by the subcommittee, the above-mentioned suggested changes will be incorporated into this important legislation. Thereafter we would hope that there would be immediate action on Senate Joint Resolution 156, whose companion bill has already passed the House.

Likewise, we urge similar action on the bills pending for the memorials for the Korean War Veterans and Black Revolutionary War Patriots. It is time to correct the record.

Thank you, Mr. Chairman, for granting us permission to present our views to the subcommittee.

[The prepared statement of Mr. Spencer follows:]

STATEMENT OF THE AMERICAN VETERANS COMMITTEE BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS, RESERVED WATER AND RESOURCE CONSERVATION OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES ON S. 2522, TO PROVIDE STANDARDS FOR PLACEMENT OF COMMEMORATIVE WORKS ON CERTAIN FEDERAL LANDS IN THE DISTRICT OF COLUMBIA AND ITS ENVIRONS.

JUNE 24, 1986

Mr. Chairman and Members of the Subcommittee:

I am Ralph Spencer, Vice Chairman of the American Veterans Committee, Inc. (AVC), is a national organization of veterans of the United States Armed Forces who served in World War I, World War II, the Korean War, and or/the Vietnam War. I have been a member of AVC since 1946. During World War II, I served as a Captain in the United States Army.

The A-V-C supports the intent of this legislation to insure the proper utilization of our public lands, particularly the core area between the Mall and the Monument, for commemorative purposes, in such ways as do not violate the character and the spirit of the remarkable national treasure that those lands represent. The aesthetic, historical, symbolic, spiritual and recreational aspects of this unique space which belongs to the American people today and for generations to come must be preserved. Not only is this space the heart of the District of Columbia, in a true sense, it represents the heart of the nation.

As pointed out by a prominent architect, Roger K. Lewis, in recent House hearings, not only does the public land,

> offer a sense of place, but it also represents ideas and events. We see its form, but intellectually and emotionally, we feel something more.

> We see monuments...but we also think about the Declaration of Independence, the Constitution and the Bill of Rights, the Emancipation Proclamation, liberty, democracy, war and peace...L'Enfant's Washington is the nation's village green, its town square, a place to remember the past, celebrate the present and plan the future.

These eloquent words emphasize the responsibilities we all have to maintain the character of this national space. Therefore, setting limits on its utilization and its allocation for memorials, monuments, and other purposes, is a desirable objective. In this respect, we commend the Chairman and other sponsors of this legislation for taking on this task and drafting S. 2522.

It is our belief that the American people have vested in the Congress that responsibility. We are therefore troubled by some language of the legislation, S. 2522, which seems to shift some of that responsibility to the Secretary of the Interior. Whereas Section 3 has clearly indicated that "No commemorative work may be established in designated areas unless specifically authorized by act of Congress," Section 6(a) seems to grant a veto power when initial proposals are made to the Secretary of the Interior. That section 6(a) states that :

> No commemorative work may be located in Area I unless the Secretary and the Administrator (as appropriate), after consultation with the National Capital Memorial Commission finds that the subject of the commemorative work is of preeminent historical and lasting significance to the nation. The Secretary or Administrator shall notify the Congress of his determination that a commemorative work should be located within Area I. Unless the Congress enacts a joint resolution approving such determination within 90 days of such notification, the determination shall be deemed disapproved.

It seems to us that by giving the Secretary of the Interior this initial perogative this language transfers the burden of decison-making from the Congress to the Secretary of the Interior.

With due respect to that high office and to the numerous competent advisory bodies that it commands, including the newly designated (by this bill The National Capital Memorial Commission), we do not believe that the Secretary of the Interior should be given the initial veto power that seems implicit in Section 6(a). Only the directly elected representatives of the people of the United States, sitting in the Congress, should be so empowered to veto a proposal on its merits. Therefore, we urge modification of the language in S. 2522 to make loud and clear that the Congress has the full responsibility for making the choices, including the initial review. The advice of the Secretary with the advisory bodies of the Interior should be sought. However, the Secretary of the Interior should not be granted initial veto power which could prevent certain proposals from coming to the attention of the Congress.

We would suggest another change in S. 2522, that would add language similar to that in H.R. 4378. This language, in Section 11 of that bill states:

> This act shall not apply with respect to either of the following:
> (1) A commemorative work authorized by a law enacted on or before the commencement of the 99th Congress.
> (2) A commemorative work authorized by a bill or joint resolution passed by either House of the Congress on or before November 6, 1985, and enacted into law after that date.

This language would exclude from the provisions of S. 2522 those bills providing for three memorials which have already passed the House of Representatives last year by recorded vote indicating that there is a clear consensus for those three memorials - the Korean War Memorial, the Black Revolutionary

War Patriots Memorial and the Women Veterans Memorial. We would urge that these memorials, which have already been voted by one branch of the Congress not be subject to the provisions of this legislation. Whereas there is no doubt in our minds that these three memorials do meet the criteria and guidelines spelled out in S. 2522 that future commemorative works "reflect a consensus of the lasting national significance of the subjects involved," it would deny the intent of the House of Representatives as expressed by their unanimous votes for the three memorials last year. Therefore, we urge that this exclusionary wording be added to S. 2522. We would call your attention to the statement of J. Carter Brown, Chairman, Commission of Fine Arts, during testimony on H.R. 4378 this April, suggesting the legislation presented some troubling aspects.

> The categorical exclusion of all memorials from Area I may be difficult to defend, and we should recognize that exceptions to the general rule in this area may have to be made. (For example, the establishment of a Korean War Memorial has been pending in Congress for some time, and it would seem difficult automatically to exclude a memorial of this importance from a location in Area I.)

We want to particularly call this Subcommittee's attention to the merits of the proposal to set aside public lands in the District of Columbia for a memorial to honor women who served in and with the armed forces, which passed the House and is incorporated in S.J. Res.156, now before this Committee. The AVC has supported this bill and the House companion bill (passed by the House), because it has been particularly concerned about the status of women veterans.

The AVC firmly believes that the women who have served our country with and in the armed forces throughout our history deserve recognition for their achievements and their contributions to the defense and security of this nation. Beginning with the "Women of the Army" during the Revolutionary War, through all our wars, women have provided major assistance to help preserve the Republic when it has been threatened. Women have always been volunteers, ready to step into the breach when needed. They have been active partners with men in forging a nation and in preserving it, beginning with the War for Independence.

That record is solidly a part of our history. Today, women make up ten percent of the total military force. Women, like men are making careers in the military services, and comporting themselves with the highest professional decorum. They have splendid records for performance at many levels. Yet, that proud record is largely unknown.

Until recently, women's contributions were not featured in history texts. Children, boys as well as girls - did not grow up reading about women who participated actively in building and preserving the nation, especially in time of war. Happily, there have been some modern historians who are correcting the historical record, which will mean that our daughters and granddaughters will have these kinds of role models as they grow up, which were missing before.

This Women Veterans Memorial is needed to make the nation aware of the significant contributions of women to the defense and preservation of the Republic. Therefore it is more than a war memorial; it is a memorial of recognition of devotion and sacrifice of a large segment of the population not usually associated with such roles. These women who actually served in and with the armed forces throughout our wars are symbolic of the courage, dedication and selflessness, with which women serve their country. While such a memorial would honor a segment of the women's population, it would recognize women's long hidden achievements and be a source of pride to all women.

Last year, the National Capital Memorial Advisory Committee at its November 14th hearing, unanimously voted in favor of putting land aside for a Women Veterans Memorial. One of the members of the Commission, Mr.Atherton said: "I do feel that our guidelines specify national issues, issues that are very dear to our hearts right now. And I think the recognition of women's role in society is about as important an issue as we are facing in the last few years." Another member, Mr. Carroll said:

> I believe that the criteria are quite clear as to divisions of major armed forces, but I think the criteria and guidelines are totally silent on the subject before us at the moment. I personally have, over the last 20 years, in observing the efforts of this nation to try and make reparations for many years of discrimination to some groups, and have rapidly come to the conclusion that there are times when exceptional measures are needed to compensate when there have been an abridgement of rights in the past. And I think this is the time when we should do so...

That unanimous recommendation of the National Capital Memorial Advisory Committee in support of allocating public lands for a site for a memorial dedicated to women who have served their country in time of war speaks for itself. Others have noted ommissions in our commemorative memorials. A historian, Dr. Jannelle Warren-Findley, testifying before the House Subcommittee on National parks and Recreation in April pointed out:

> To address the gaps in the monumental record (now skeded toward the accomplishments of white, male and mostly military figures) and to encourage ways to interpret or teach about the history of the United States, we must consider options to supplement the raising of statues and monuments,...We may want to encourage more designations by the National Park Service or National Historic Landmarks or sites concerned with individuals, groups and events whose story needs to be told - to broaden our accounting of our common past.

Another witness at that hearing suggested that "The commemoration of the American people and their history represents the most noble of intentions, that opportunities for the enrichment and appriciation of that history must be found, and that the Nation's Capital, more than any other location, provides the appropriate setting for such commemorations." (Robert W. Good, Chairman, Committee on the National Capital, American Society of Landscape Architects.)

The American Veterans Committee has been proud to support the creation of a Women Veterans Memorial. Three years ago, AVC's National Board endorsed special projects to further the role of women in the military services and their contributions to the national defense, including the establishment of appropriate memorials to honor them. This honor is long overdue - it is one we owe to all women in the past, in the present, and in the future. "Veteran" has meant male in the public mind. This memorial would correct this misconception and provide the recognition that women deserve.

To carry out its mandate, the AVC has set up a not-for-profit corporation under the laws of the District of Columbia. The "Women in the Military Service for America Foundation" is in the process of forming its permanent Board of Directors and Advisory Committee. This foundation will be able to coordinate a public compaign to develop public interest in the Memorial, and when appropriate, initiate a fund - raising effort to carry out the activities leading to the design and then the actual construction of the monument. Already, a good deal of interest has come from women veterans and their families around the country as well as from women non-veterans. Without any effort to publicize the memorial, it has already attracted a great deal of attention and support. There is no doubt in our minds that this is an idea whose time has come. We hope that when S. 2522 is reviewed by the Subcommittee the above-mentioned suggested changes will be incorporated into this important legislation. Thereafter, we would hope that there would be immediate action on S.J. Res. 156, whose companion bill has already passed the House. Likewise, we urge similar action on the bills pending for the memorials for the Korean War Veterans and the Black Revolutionary War Patriots. It is time to correct the record.

Thank you, Mr. Chairman, for granting us permission to present our views to this Subcommittee.

Senator WALLOP. Thank you, Mr. Spencer.
Colonel Leach.

STATEMENT OF COL. JAMES H. LEACH, U.S. ARMY (RET.), CONGRESSIONAL LIAISON, AMERICAN ARMORED FORCE COMMITTEE, ACCOMPANIED BY COL. FRANK PAGNATA, VETERAN, 12TH ARMORED DIVISION

Colonel LEACH. I am Col. James H. Leach, congressional liaison for both Senate Joint Resolution 43 and House Joint Resolution 167, which represents the Armored Force Monument Committee. I am the spokesman for that group, but I am accompanied today by Col. Frank Pagnata, who is a veteran of the 12th Armored Division, along with Congressman Sonny Montgomery, who was his colleague in World War II under General Patton in the 3d Army.

Mr. Chairman, I have a prepared statement in great detail, but am limiting myself to 3 minutes because Peggy indicated I had to here, and while my prepared statement provides greater detail on why we believe S. 2522 should be amended to permit erection of our monument in northern Virginia, not central core area I, we would honor the American Armored Force, and we do agree that the guidelines—strong guidelines are needed to assure that future commemorative works in the Nation's Capital are appropriately designed, constructed, located, and their subjects are of lasting value to the Nation. We believe our proposal lies within the spirit of the guidelines established in S. 2522, even though it would not represent the entire Army.

It does, however, represent a very large part of our Army, and in particular its most important mobile combat element. Further, there is no current sponsor to erect a monument per se for the Army, nor are there plans for such a memorial. On the other hand, we enjoy the endorsement of the Secretary of the Army, Mr. Marsh, the Chief of Staff of the Army, General Wickham, and we also enjoy the Secretary of Defense's endorsement before the Commission and the Secretary—or I should say—yes, the Secretary of the American Battle Monuments Commission.

Our proposed memorial is further endorsed by this statement by General Wickham. It says.

> The Armored Force Monument is a worthy project which would provide important recognition to those who served our Nation well. It would also have significance for those in service today, and you can be assured of the Army's enthusiastic support of your committee.

Our proposed memorial is also endorsed and supported by hundreds of thousands of combat veterans of our past four wars, as well as the support of scores of sponsoring veterans' associations as outlined in Senate Joint Resolution 43 and House Joint Resolution 167. As you know, Mr. Chairman, the Senate passed Senate Joint Resolution 43 on September 20, 1985, through your offices, and we appreciate your support at that time on our bill, and this authorized the erection of an American Armored Force Memorial.

Senator Strom Thurmond, who provided you a letter today, also wrote earlier to Senator McClure, Chairman of the Committee on Energy and Natural Resources, and this was August 24, 1985, and I quote, "This memorial would recognize many armored divisions and separate armored units of World War II, Korea, and Vietnam."

As you know, we passed this, and I was quoting, and I believe such memorials, Senator Thurmond said, is justified regardless of the outcome of proposals to establish a World War II memorial. In my judgment, it is of exceptional significance, quality, and value in accordance with the criteria of the National Capital Memorial Commission. The House companion resolution, House Joint Resolution 167, was introduced by Congressman Floyd Spence, and is cosponsored by more than 154 Representatives right now in the House, including the Honorable Mary Rose Oakar, who was scheduled to appear before this committee.

Further, in anticipation of approval of our proposal, we engaged a noted architect, Mr. Howard J. Shaller, executive director of the American Institute of Commemorative Art. He is presently working on our design, and is the designer of the 101st Airborne Monument which now resides on Memorial Drive. We have been laboring for over 3 years, Mr. Chairman, to put this worthy project in motion, only to find that S. 2522, if approved at this late date, would deny thousands of Armored Force veterans, including tankers, armored infantrymen, armored artillerymen, armored field artillerymen, signal and tank destroyers and marine tankers, if you will, as well as others a deserved place of honor and recognition in our own Nation's Capital.

It would also deny deserved recognition to Korean veterans as well as those wonderful women who have served in our Armed Forces and black Revolutionary War patriots as well.

Mr. Chairman, in conclusion, we recommend that the Senate version of S. 2522 be amended to include the words of section 11.2 of H.R. 4378, dated April 21, 1986. Specifically the facts shall not apply with respect to either of the following, a commemorative work authorized by a bill or joint resolution passed by either House of the Congress on or before November 6, 1985, and enacted into law after that date.

Mr. Chairman, our Senate Joint Resolution 43 approved last September qualifies us under this House version of the bill. This concludes my remarks, sir. Thank you very much.

[The prepared statement of Colonel Leach follows:]

ARMORED FORCE MONUMENT COMMITTEE

STATEMENT
by

COLONEL JAMES H. LEACH, USA (RET)
Congressional Liaison
(SJR ~~67~~ and HJR 167)
43

BEFORE

The Honorable Malcomb Wallop
Chairman Sub-Committee on Public Lands,
Reserved Water and Resource Conservation
Senate Energy and Natural Resources Committee

ON
S 2522
Placement of Commerative Works on
Certain Federal Lands in D.C.

24 June 1986

24 June 1986

STATEMENT OF THE
ARMORED FORCE MONUMENT COMMITTEE
BEFORE
SUB-COMMITTEE ON PUBLIC LANDS, RESERVED WATER AND RESOURCES CONSERVATION -SENATE ENERGY AND NATURAL RESOURCES COMMITTEE

Mr. Chairman, Members of the Committee: While my prepared statement provides greater detail on why we believe S 2522 should be amended to permit erection of our monument in Northern Virginia, honoring the American Armored Force, we do agree that strong guidelines are needed to assure that future commerative works in the nation's capital are appropriately designed, constructed, located and that their subjects are of lasting significance to the nation.

We believe our proposal lies within the spirit of the guidelines established in S 2522, even though it would not exclusively represent the entire Army. It does however represent a large part of the Army and its most important mobile combat element.

Further, there is no current sponsor to erect a monument per se for the Army, nor are there plans for such a memorial. On the other hand, we enjoy the endorsement and support of The Honorable John O.Marsh, Jr., Secretary of the Army and General John A. Wickham, Jr, the Army Chief of Staff as well as the Secretary of Defense and the Secretary, American Battle Monuments Commission.

Our proposed memorial is also endorsed and supported by hundreds of thousands of combat veterans of our past four wars, as well as the support of scores of sponsoring Veterans Associations as outlined in SJR 43 and HJR 167.

As you know, the Senate passed SJR 43, on September 20,1985, authorizing the erection of an American Armored Force Memorial. Senator Strom Thurmond, who was the sponsor of this resolution, stated in his letter of 24 August 1985 to Senator James A. McClure, Chairman, Committee on Energy and Natural Resources:

> ".... This memorial would recognize many Armored Divisions and separate Armored units of World War II, Korea, and Vietnam... I believe such a memorial is justified, regardless of the outcome of proposals to establish a World War II memorial. In my judgement, it is of exceptional significance, quality and value in accordance with the criteria of the National Capital Memorial Advisory Committee."

The House companion resolution, HJR 167 was introduced by Congressman Floyd Spence and is Co-Sponsored by more than one hundred forty-six U.S. Representatives, including the Honorable Mary Rose Oakar who is also appearing before this body today.

Further in anticipation of approval of our proposal, we have engaged the noted architect, Mr. Harold J. Schaller, Executive Director of the American Institute of Commemorative Art. He is presently working on a design for our monument.

We have been working for over three years to put this worthy project into motion, only to find that S 2522, if approved at this late date, would deny thousands of Armored Force Veterans a deserved place of honor and recognition in their own nation's capital.

Mr. Chairman, in conclusion, we recommend that the Senate version of S 2522 be amended to include the words of Section 11(2) of HR 4378, dated April 21,1986. e.g. This Act shall not apply with respect to either of the following:

(1) A commemorative work authorized by law enacted on or before the commencement of the 99th Congress.

* (2) A commemorative work authorized by a bill or joint resolution passed by either House of the Congress on or before November 6,1985, and enacted into law after that date.

* Our SJR 43, approved on 20 September 1985 qualifies under Section 11(2) noted above and in HR 4378.

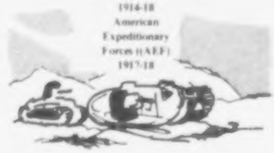
This concludes my remarks. Thank you, Mr. Chairman.

James H. Leach
Colonel, USA (Ret)
Congressional Liaison
(703) 532-8386

THE ARMORED FORCES IN COMBAT

WORLD WAR I

1914-18
American
Expeditionary
Forces ((AEF)
1917-18



In the history of the U.S. Army, one of the finest chapters has been the story of the "Armored Force." It began when Gen. "Black-Jack" Pershing established the Tank Corps of the AEF on 26 January 1918. It was Col. George Patton, commanding a tank brigade, who led the "American Tankers" in their baptism of fire at the battle of St. Mihiel. Then, during the Meuse-Argonne Offensive, American and French tank forces demonstrated the potential for armored warfare to restore mobility to the battlefield and permit decisive results through exploitation of a breakthrough of the enemy's defenses. But the war ended before this potential of armored warfare could be realized. Nonetheless, visionaries like Gen. Van Voorhis and Gen. Adna Chaffee recognized the importance of armored warfare and they labored mightily both to mechanize the Army and to forge combat units consisting of "a balanced team of combat arms and services."

WORLD WAR II

1941-45

Their visions became realities in 1940 when Gen. George C. Marshall made sweeping changes in the organization, tactics, and equipment of the U.S. Army to prepare it for modern mobile warfare. One major change was the establishment of the "Armored Force" which from 1940 to 1945 was to develop into a powerful force of 16 Armored Divisions, 106 Tank Destroyer Battalions, and many separate Tank, Armored Infantry, Armored Artillery, Armored Engineer, Armored Signal, and Mechanized Cavalry units of squadron, battalion, group, and regimental size. A mighty "Armored Force" in which over 2 million "men of steel" served with courage and dedication in the great tradition of "teamwork" of the U.S. Army.

Elements of the "Armored Force" were first employed in North Africa where Gen. Patton (and later Gen. Bradley) commanded the U.S. II Corps in the Allied defeat of Field Marshal Rommel's "Afrika Korps" in the Tunisian Campaign resulting in the capture of over 250,000 enemy troops. Then armored units participated in the conquest of Sicily and in the rugged combat of the Italian Campaign. But it was just after the successful Normandy invasion that the "Armored Force" demonstrated its great power and justified its promise of "decisive combat" through rapid exploitation when Gen. Patton's Third Army thrust through the hole in the German defenses made by the First Army at Avranches — and swept across France in relentless pursuit of the German armies. Then, formidable armored units, of Gen. Hodges First Army, Gen. Patton's Third Army, Gen. Patch's Seventh Army, and Gen. Simpson's Ninth Army helped crack the "Siegfried Line", crossed the Rhine River, and together with our Allies gained Victory in Europe!"

Throughout the Pacific Theater of Operations, armored units in Gen. Krueger's Sixth Army and Gen. Eichelberger's Eighth Army fought the "island hopping" campaign leading to the recapture of the Philippines. Then armored units of Gen. Buckner's Tenth Army fought in the conquest of Okinawa. These U.S. Army campaigns along with those of the U.S. Navy and Marine Corps and our gallant Allies gained victory in the Pacific.

KOREAN CONFLICT

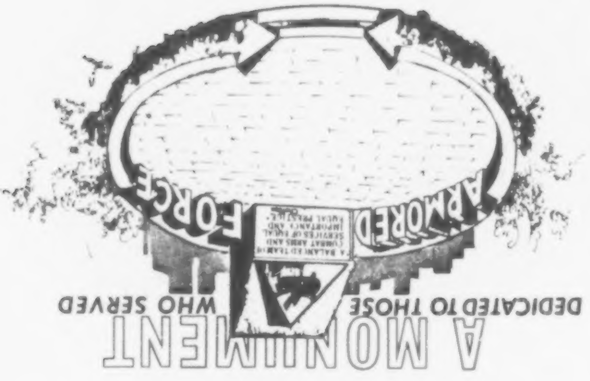
1950-53

Units spawned by elements of the "Armored Force" made an important contribution to the victories of the U.S. Eighth Army in the Korean Conflict. A tank company was organic to each infanry regiment, and additionally, each infantry division had an organic tank battalion. Further, there were numerous Armored Antiaircraft, Armored Artillery, and Armored Engineer units in support of the U.S. Eighth Army. During the last two years of the conflict when the United Nations forces defended along the 38th parallel, the tankers positioned themselves immediately behind trenches of the U.S. main line of resistance to lend, in support of the infantry, direct tank fire which repeatedly destroyed the enemy's front line bunkers, caves, and trench-works.

VIETNAM CONFLICT

1964-74

In the U.S. Army Vietnam, the air-mobility of helicopter-borne infantry was augmented by the ground-mobility and firepower of the Mechanized Infantry Battalions, Armored Cavalry Regiment and Squadrons, Tank Battalions, and Armored Artillery. In hundreds of combat actions these armored units of the infantry divisions demonstrated again the importance of mobile armor-protected firepower and shock action for the successful accomplishment of offensive missions. They also provided the firepower to help defend the many U.S. Fire Support Bases. A striking development of support for infantry operations was the highly successful use of observation and attack helicopters of the Armored Cavalry.


ARMORED
FORCE
A MONUMENT
DEDICATED TO THOSE WHO SERVED

THE ARMORED FORCE MONUMENT FUND

Purpose – to erect an American Armored Force Monument in the Capital area of the Nation to honor all American soldiers who have served in armored and mechanized units organized for the conduct of "armored ground combat" — a concept pioneered in World War I and kept alive by dedicated leaders of the U.S. Army whose vision led to the creation of the original "Armored Force" (1940-1945) which contributed so much to Victory in World War II.

It is emphasized that the "Armored Force" of the Monument embraces all the "Men of Steel" who served so valiantly in the U.S. Tank Corps of World War I — and their descendants who fought so gallantly in World War II, Korea, and Vietnam in Armored Divisions or separate Tank Battalions, Tank Destroyer Battalions, Armored Mechanized Infantry Battalions, Armored Self Propelled Artillery Battalions, Armored Engineers, and Armored Mechanized Cavalry Regiments and Squadrons.

The Monument will also inspire future generations of American Soldiers who serve in Armored mobile warfare units with the same spirit of "Teamwork" that the Father of the "Armored Force" proclaimed in 1940:

...A BALANCED TEAM OF COMBAT ARMS AND SERVICES... OF EQUAL IMPORTANCE AND EQUAL PRESTIGE.

Major General Adna R. Chaffee
Father of the American Armored Force

SEEK · STRIKE
DESTROY

Sponsoring Associations

U.S. Armor
Armored Divisions of WW II
Armored Cavalry Regiments
Tank Destroyer
World Wars Tank Corps
Veterans of Battle of the Bulge
Council of Armored Division Associations

Support –

General Bruce C. Clarke, US Army (retired)

Committee Chairman
★★★★

Your Armored Force Monument Committee with the help of the many Sponsoring Associations, large and small, and Individual Supporters has launched the offensive to properly honor the millions of proud veterans who have served in the American armored forces in four wars. The present Chief of Staff of the U.S. Army has stated:

"The Armored Forces Monument is a worthy project which would provide important recognition to those who served our nation well. It would also have significance for those in service today, and you can be assured of the Army's enthusiastic support for your committee."

General John A. Wickham, Jr.
Chief of Staff, U.S. Army

Support for your MONUMENT!

ARMORED FORCE VETERANS

GOAL

To erect a Monument on "The Avenue of Heroes" leading to Arlington National Cemetery. The Monument will honor the exploits of The Armored Forces in Four Wars and have inscribed thereon designations of Armored Divisions and Separate Non-divisional Armored Combat Units.

Armored units were introduced into battle four wars ago. Since that time, millions of proud combat veterans have served honorably in U.S. Army armored units. Their Valor and Victories in combat are legendary. Yet, no national monument has been erected to properly honor their heroic deeds.

In 1984, your Armored Force Monument Committee was formed at Fort Myer, Virginia, to lead the drive to build this monument for you. A preliminary design has been proposed; a financial structure established; and legislation introduced in both Houses of the Congress, Senate Joint Resolution, SJR 43, and House Joint Resolution, HJR 167.

HELP YOUR COMMITTEE

This memorial will be funded by Combat Veterans. Your generous contribution is needed! It will be sincerely appreciated and acknowledged.

TEAR OUT

My Contribution

In the envelope provided is my Tax Deductible contribution of ____ $10 ____ $25 ____ $50 ____ $ other to help build our Monument. (For the record and acknowledgement, write your complete name, address, zip, on the label below. Bear down heavily, please.)

My combat unit was ____________________
Please make checks payable to:
Armored Force Monument Fund

Send to: Armored Force Monument Fund
P.O. Box 1146
Fort Myer, Virginia 22211

ARMORED FORCE MONUMENT COMMITTEE

STATEMENT
by

COLONEL JAMES H. LEACH, USA (RET)
Congressional Liaison
(SJR 67 and HJR 167)

BEFORE

The Honorable Malcomb Wallop
Chairman Sub-Committee on Public Lands,
Reserved Water and Resource Conservation
Senate Energy and Natural Resources Committee

ON
S 2522
Placement of Commerative Works on
Certain Federal Lands in D.C.

24 June 1986

RE: S 2522 - 5 June '86 - a bill to provide standards for placement of commerative works on certain Federal lands in D.C. and its environs.

STATEMENT OF THE ARMORED FORCE COMMITTEE

INTRODUCTION

Mr. Chairman and Members of the Committee. We appreciate this opportunity to present our case in support of a memorial in the Nation's Capital honoring past and present members of the United States Army Armored Force.

In the interest of time, I will not review the history of the armored force from World War I to the present. We covered it in detail during our last appearance before the committee, and in subsequesnt correspondence. And while that history does emphasize the important contributions the armored force has made to the defense of this Nation, it is not germaine to the basic issue before us today.

I have mixed feelings about memorializations in the Nation's Capital. On the one hand, we have a moral obligation to honor those countless units and individuals who fought and sacrificed in 4 major wars during this century alone. One the other, we must insure that discretionary judgement is exercised to prevent undue proliferation of monuments which would destroy the beauty of our capital city.

In reviewing S 2522, it is obvious that our monument does not fully meet the criteria and guidelines as set forth. However, it is our contention that we do comply with the "spirit" of the bill's rationale. And so I will focus on those arguments which support that contention.

Please note that our proposed monument enjoys the support of the Secretary of the Army, the Army Chief of Staff, the Secretary of Defense and the Secretary, American Battle Monuments Commission.

CRITERIA AND GUIDELINES

I'll begin by addressing the special conditions applicable to Areas I and II e.g. Section 6 of your criteria. These items deal with matters primarily subjective in nature, and involve the determination of whether a memorial does or does not meet the rigorous challenges of being both significant, from an historical standpoint, and encompassing in terms of the events or persons it wishes to honor.

Section 6 also covers the significance and importance of proposals. While our proposal represents a major and significant lesser element of the total Army, the American Armored Force has made and continues to make a very significant contribution to the lasting significance of our Army and land combat operations.

We are seeking to honor both a concept and a force which have changed the face of land combat in this century. Within the theme of our memorial, we wish to recognize the fledgling armored force concept introduced to break the stalemate of World War I: the translation of that concept into a major combat force which was instrumental in achieving decisive results in World War II; the refinements to both the concept and the force which occured on the battlefields in Korea and Vietnam; and the present force which carries on the tradition of that long line of steel. This is a history steeped in national pride and international impact.

The Armored Force's historic importance to our nation was earned in countless combat actions, where the characteristics of firepower, mobility and shock-action -- applies with dedication and bravery by armored force units -- represented the difference between success and failure. The enduring quality of both that concept, and the forces that made it a reality, is reflected in the current Army structure, where 10 out of 17 divisions contain armored force elements. Our memorial honors the almost 3 million soldiers who served or are serving in armored force units of the United States Army.

It is realized that terms like "international significance" and "historic importance" are subject to comparative evaluation and personal interpretation. However, I feel that the impact of the concept we seek to recognize, and the accomplishments of the men that made that concept a combat reality, do merit acceptance within the criteria as set forth - Section 6.

Section 6 of S 2522 also lists qualifications concerning military memorials. In my opening remark I made the comment that while we do not appear to meet the specific criteria and guidelines as set forth in this bill, we are within the intent. The actions, units and individuals to be memorialized represent an accumulative significance which exceeds the listed criteria. Thus the point in made that we appear to be complying with the "spirit" of your intent.

Section 6 (b) (1) states that "A military commerative work may be established in Area II only to commemorate a war or similar major military conflict or to commerate any branch of the Armed Services. "

> Here we should take note that the U. S. Army has no plan to erect a monument this bill would authorize. Thus, should we deny a select group of determined combat veterans, and soldiers currently serving in Armored Force units world wide who have joined together to recognize this major, and most significant element of the Army? The Armored Force Monument is sponsored by over 154 Senators and Representatives. SJR 43 was passed on 20 September 1985, and HJR 167 is currently pending final action in the House of Representatives. One of our Co-Sponsors in the House is Congresswoman Mary Rose Oakar appearing before this Committee today.

The Armored Force Memorial would:

1. Honor those who fought in four wars, not just one.
2. Recognize a major force which conducted major combat operations on three

continents, in the four wars.

3. Encompass a large slice of the United States Army by including, among the organizations recognized, armored force elements which had been assigned, attached or placed in direct support of every Army combat division which participated in those four wars.

THE FORCE

As to the Force itself. It grew from a four-battalion brigade in World War I to the major mobile combat force of the Army during World War II. Although the tank was the weapon around which the concept was first developed, the Armored Force was much more inclusive. As General Chaffee noted in his concept, it was:

"A balanced team of combat arms and services of equal importance and equal prestige."

Our effort is to be a memorial to that team which included: Army and Marine tank, tank destroyer, amphibious-tractor, infantry, artillery, cavalry, engineer, signal, police, medical, ordnance and quartermaster units. It is represented by sixteen armored divisions, numerous separate cavalry units, and over 100 separate tank and tank destroyer battalions.

Unit designations on the monument itself will reflect these armored elements. Since many units were assigned or attached to infantry and airborne divisions, those divisions will have tacit representation on the monument in the form of those armored force elements which served with them in combat. This last point is significant, especially in light of the numerous requests you receive for individual military monuments in the Capital area.

In summary, concerning Section 6, I believe we are proposing a memorial which pays tribute to major wars, reflects a concept of major operational proportions, and includes a significant portion of Army elements which fought in four wars. While we do not meet the specific wording of the criteria, I believe that the encompassing nature of our proposal does meet the spirit of your intent.

OTHER CRITERIA

I'll close by touching briefly on Section 7. In our zeal to obtain a monument in the Capital area, we may have been presumptious concerning site selection and memorial design. Rest assured that it was not our intent to preempt those who have an active role in the approval process. Nor did we seek undue political pressure to support our case. We respect the Committee's past efforts to control proliferation, and, as reflected by the beauty of the monument core in the Washington area, it's judgment.

We seek a memorial which will add to, and blend with the overall monument plan. To this end, we are working with Mr. Harold J. Schaller of the American Institute of Commemorative Art to insure that the final product will be one of which both we and your Committee can be justly proud.

In conclusion:

As noted in Section 11 (2) of HR 4378, dated 21 April 1986, we ask that SJR 43 and (HJR 167- Armored Force Monument) be excluded, as an exception to S 2522, along with other resolutions previously passed by either the Senate or House in this 99th Congress. Specifically, we recommend that this act shall not apply to either of the following:

(1) No change

(2) A commemorative work authorized by a bill or joint resolution passed by either House of the Congress on or before November 6,1985, and enacted into law after that date.

This concludes my remarks. Thank you, Mr. Chairman.

PASSED - 30 SEPT 1985

Congressional Record

United States of America

PROCEEDINGS AND DEBATES OF THE 99th CONGRESS, FIRST SESSION

Vol. 131 WASHINGTON, TUESDAY, FEBRUARY 5, 1985 *No. 11*

By Mr. THURMOND (for himself, Mr. WARNER, and Mr. TRIBLE):

S.J. Res. 43. Joint resolution to authorize the Armored Force Monument Committee, the United States Armor Association, the World Wars Tank Corps Association, the Veterans of the Battle of the Bulge, the 11th Armored Cavalry Regiment Association, the Tank Destroyer Association, the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, and 16th Armored Division Associations, and the Council of Armored Division Associations jointly to erect a memorial to the American Armored Force on U.S. Government property in Arlington, VA, and for other purposes; to the Committee on Energy and Natural Resources.

AMERICAN ARMORED FORCE MEMORIAL MONUMENT

Mr. THURMOND. Mr. President, once again, joined by my distinguished colleagues from Virginia, Senators WARNER and TRIBLE, I am pleased today to reintroduce a joint resolution to authorize the erection of a memorial in Arlington, VA, for the purpose of honoring those men of "flesh and steel" who have honorably served their country as members of the American Armored Force, during World Wars I and II, the Korean and Vietnam wars, as well as those who are currently serving in comparable fighting units worldwide.

The measure I am today introducing is identical to Senate Joint Resolution 277, which passed the Senate during the 98th Congress on a unanimous voice vote. Unfortunately, the House was unable to consider the resolution prior to sine die adjournment.

Mr. President, this proposal has the endorsement, among others, of the Armored Force Monument Committee and its eminent chairman, Gen. Bruce C. Clarke (U.S. Army, retired). It has the support of the United States Armor Association; the World Wars Tank Corps Association; the Veterans of the Battle of the Bulge; the 11th Armored Cavalry Regiment Association, the Tank Destroyer Association; the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 12th, 13th, 14th, and 16th Armored Division Associations.

Simply stated, this joint resolution would authorize the Secretary of the Interior to select, with the approval of the National Commission of Fine Arts and the National Capital Commission, a suitable site for this memorial in Arlington, VA. With private donors assuming the cost of erecting the monument, the only expense to the U.S. Government would be that incurred by the Interior Department for the maintenance and care of the memorial area.

Mr. President, one of the finest chapters in the epic history of the U.S. Army has been the story of the American Armored Force. This great military force had its beginning when Gen. "Black Jack" Pershing established the U.S. Army Tank Corps during World War I. Col. George Patton commanded one of the first tank brigades at the time when the American tankers received their first baptism of fire in the battle of St. Mihiel. Between the two World Wars, U.S. Army visionaries, like General Van Voorhis and Gen. Adna Chaffee, labored mightily to mechanize and modernize the U.S. Army. In January 1940, Gen. George C. Marshall brought fruition to their labors by creating the American Armored Force.

It was this American Armored Force that provided the powerful armored units. This force was composed of armored divisions, mechanized cavalry groups, separate armored field artillery, tank destroyer, and tank and armored infantry battalions, all of which contributed substantially to the victory of American arms in all the theaters of war in World War II.

Mr. President, this is the same American Armored Force that provided the basis of the Armored infantry, armored cavalry, armored artillery, armored engineers, armored signal and tank units that were an integral part of the success achieved by our forces in the many battles fought in the Korean and Vietnam wars.

Mr. President, it is an honor and a personal pleasure for me, along with my colleagues, Senators WARNER and TRIBLE, to once again introduce this joint resolution to authorize the erection of a monument honoring the American Armored Force. This memorial will signify permanent recognition by a grateful nation for heroic achievements in combat against aggression. I urge that this measure be given early and favorable consideration.

AWAITING APPROVAL IN
HOUSE OF REPRESENTATIVES

99TH CONGRESS
1ST SESSION

H. J. RES. 167

To authorize the Armored Force Monument Committee, the United States Armor Association, the World Wars Tank Corps Association, the Veterans of the Battle of the Bulge, the 11th Armored Cavalry Regiment Association, the Tank Destroyer Association, and the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, and 16th Armored Division Associations and the Council of Armored Division Associations jointly to erect a memorial to the "AMERICAN ARMORED FORCE" on United States Government property in Arlington, Virginia, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 25, 1985

Mr. SPENCE (for himself, Mrs. HOLT, Mr. WOLF, Mr. PARRIS, Mr. MARTIN of New York, Mr. RODINO, Mr. TALLON, Mr. MONTGOMERY, Mr. NATCHER, Mr. LEATH of Texas, and Mr. SAM B. HALL, JR.) introduced the following joint resolution; which was referred to the Committee on House Administration

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JOINT RESOLUTION

To authorize the Armored Force Monument Committee, the United States Armor Association, the World Wars Tank Corps Association, the Veterans of the Battle of the Bulge, the 11th Armored Cavalry Regiment Association, the Tank Destroyer Association, and the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, and 16th Armored Division Associations and the Council of Armored Division Associations jointly to erect a memorial to the "AMERICAN ARMORED FORCE" on United States

Government property in Arlington, Virginia, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Armored Force Monument Committee, the United States Armor Association, the World Wars Tank Corps Association, the Veterans of the Battle of the Bulge, the 11th Armored Cavalry Regiment Association, the Tank Destroyer Association, the 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, and 16th Armored Division Associations as well as the Council of Armored Division Associations are authorized jointly to erect a memorial on United States Government property in Arlington, Virginia. Any such memorial shall be erected for the purpose of honoring and commemorating the "American Armored Force", including the members of such organizations and others who have served in armored units of the Armed Forces of the United States during World War I or World War II or in and near Korea or Vietnam, and the members of the Armed Forces who continue to serve in such units with exceptional professionalism to maintain peace worldwide.

SEC. 2. (a)(1) The Secretary of the Interior shall select, with the approval of the National Commission of Fine Arts and the National Capital Planning Commission, a suitable site on United States Government property in Arlington, Virginia, upon which may be erected the memorial authorized in the first section. The Secretary of the Interior shall, if practicable and appropriate, select a site between the Arlington Memorial Bridge and the entrance to the Arlington National Cemetery and beside Memorial Drive.

(2) If the site selected is within the boundaries of the Arlington National Cemetery, the approval of the Secretary of the Army shall be obtained.

(b) The design and plans for the memorial shall be subject to the approval of the Secretary of the Interior, the National Commission of Fine Arts, and the National Capital Planning Commission.

(c) The United States Government shall not incur any expense in connection with designing, planning, or erecting the memorial except expenses required to carry out the responsibilities set out in this section and sections 3 and 4.

SEC. 3. The authority conferred pursuant to this joint resolution shall lapse unless (1) the erection of the memorial is commenced within five years after the date of enactment of this joint resolution and (2) prior to its commencement, the Secretary of the Interior has received an appropriate certification that funds are available in an amount sufficient, in the judgment of the Secretary, to insure completion of the memorial.

SEC. 4. The maintenance and care of any memorial erected under the provisions of this joint resolution shall be the responsibility of the Secretary of the Interior.

ARMORED
FORCE
MONUMENT COMMITTEE • P.O. BOX 1146 • FORT MYER, VA. 22211

3 October 1985

Honorable William P. Horn
Assistant Secretary, Fish, Wildlife,
and Parks
Department of the Interior
18th & C Streets, N.W.
Washington, D.C. 20240

Dear Mr. Horn:

The Armored Force Monument Committee has noted in the Congressional Record of September 9,1985 your letter of July 31 to Senator James A. McClure in the matter of S.J. Res. 43. That letter recommends against enactment of the joint resolution, which as you may know was subsequently enacted and forwarded to the House of Representatives.

The information presented in substantiation of your position indicates significant misunderstanding of the proposed memorialization. Our committee, therefore, considers itself obligated to undertake clarification; we have no greater responsibility than to establish clearly what we stand for and why.

Your letter focuses mainly on the need for constraint on the number of memorials in the nation's capital. We appreciate your interests in that matter and understand the associatied guidelines for military memorials. Our concern lies not in those guidelines but in the facts used to relate our proposal to them.

The relevance of the estimate by the American Battle Monuments Commission that there are over 150 division-size units of all the armed forces that have participated in combat is not clear. We are aware that a number of proposals have been made to memorialize individual army divisions; however, our proposal is of vastly greater scope. The Armored Force we propose to commemorate includes 16 division-size units plus the equivalent of 10 additional divisions in separate smaller units. By that measure the armored force in question is comparable in size to that of today's U. S. Army as a whole. It is over one sixth of the total force (150 division-size units) postulated by the American Battle Monuments Commission.

We emphasize, however, that our purpose is to honor all of the soldiers who served in the armored force in four wars, and this number is large indeed. The number is a function of the rate of personnel turnover as well as the number of units in question. For example, as many as twenty-four thousand soldiers served in the 11th Armored Cavalry Regiment during its participation in the Vietnam conflict. That number is comparable to the number of individuals who saw service in a typical division over the course of World War II. The numbers of soldiers who have served in the units of the armored forces during four wars as well as on the frontiers of freedom around the world are numbered in the millions.

Your letter goes on to state that: "S.J. Res. 43 would commemorate only those members of the armed forces who served in armored units." We seek to commemo-

Wars Represented: World War I, World War II, Korean War, Vietnam

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rate those members of the U. S. Army who over the course of the past seventy years have served in tank units, tank destroyer units, armored/cavalry units, armored/mechanized infantry units, armored/artillery units, and in armored engineer units, as well as in other combat support and combat service support units serving as integrated members of armored combined arms teams of regimental size and larger. Over the period of our interest and concern, this membership consitutes a significant portion of the U. S. Army.

Because our committee feels so strongly its obligation to insure that all interested agencies and individuals fully understand our proposed memorialization, we have prepared a summary to that end. A copy of the summary is enclosed. We hope it is helpful, and stand ready for further treatment of the matter if needed.

In conclusion, this committee respectfully submits that our proposal lies well within the criteria guiding memorialization in the nation's capital. During the past seventy years, several million soldiers have been associated with, have been inspired by, and have contributed to the concept of cohesion and teamwork that is the hallmark of the armored force in which they served. The exceptional national and international significance of this tradition has been established profoundly in battle during four wars and over several decades of deterrence of a major new war. This significance is reflected in the fact that our proposed memorial enjoys the support of the Secretary of the Army and the Army Chief of Staff.

The support of the Department of the Interior would be appreciated by the committee as well as by the host of armored force veterans to be honored. It would be fitting in an era marked by a rebirth of patriotism and recognition of the sacrifices and contributions of the armored forces.

Sincerely,

John L. Gerrity
Maj Gen, U.S. Army (Retired)
Vice Chairman

Copies furnished:

Senator Thurmond
Senator Wallop
Senator McClure
Congressman Spence
Congresswoman Oakar
Maj Gen A.Adams American Battle Monuments Commission
and other Congressional Sponsors

Enclosure as stated:

ARMORED FORCE
MONUMENT COMMITTEE • P.O. BOX 1146 • FORT MYER, VA. 22211

THE MEMORIALIZATION

The Armored Force Memorial will give credit to a large number of American soldiers who served in many units during four wars over seven decades in this century. Important is the fact that the armored force embodies a unique concept of cohesion and teamwork among constituent units of the many arms and services of our Army. The melding of these combat capabilities has contributed greatly to the success of the American Arms in the wars of this century, and continues today to deter aggression on the forward edges of freedom around the world.

The Armored Force, established in 1940, became a cornerstone of our Army's organization and its concept of fighting before our nation entered hostilities in World War II. That force serves as the namesake for our proposed memorialization. The Army's Chief of Staff, General George C. Marshall, saw the need to expand rapidly the Army's readiness to face the impending war. He selected Brigadier General Adna R. Chaffee as the Armored Force's first commander and challenged him to prepare the United States Army for armored warfare. This General Chaffee did, with our monument quoting his concept of cohesion and teamwork for units of the Armored Force:

> "A balanced team of combat arms and services of equal importance and equal prestige."

General Chaffee drew on his knowledge of the introduction of tank warfare to ground combat in World War I, as well as the concepts of American and foreign military tacticians for the two decades following that war, to size and shape units of the Armored Force to meet the obvious threat facing America and the rest of the free world. Thus, the Army entered the Second World War with a new concept and a growing capability for mobile warfare: combined arms teams able to exploit their mobile protected firepower to blunt the enemy's attack, then seize the offensive and exploit to final victory. The sixteen Armored Divisions which contributed greatly to victory in 1945 represented fully the Armored Force concept: not only tanks but also armored infantry, armored field artillery, armored cavalry, armored engineers, and armored combat support and combat service support from the many arms and services in those sixteen divisional teams. Also, the unique tactical concepts and teamwork embodied in armored units were used in combat in a range of non-divisional, separate organizations including tank destroyer units which fought separately or with larger armor, infantry or airborne units to bring victory to the Allied forces.

This unique, successful concept -- combined arms teamwork in mobile warfare -- has been ingrained in the Army in the four decades following victory in World War II. In active warfare in Korea and Southeast Asia in the 1950's, 1960's and 1970's, armored units of various branches contributed to American and Allied forces engaged in ground warfare in Asia. During those same periods, and still today, armored force units and their soldier members have served and are serving at home and abroad, principally in Western Europe, to deter major world conflict and to help preserve freedom for ourselves and the rest of the Western world.

In sum, the armored force to be memorialized by our monument is one whose membership has served our nation with high distinction for the past seventy years. The force includes hundreds of units of most branches of the Army: these units saw, and the nation gained, from the loyal service of millions of armored force soldiers. The successes of these units rested largely on the concept of cohesion and teamwork inbued in and fostered by their dedicated members.

Wars Represented: World War I, World War II, Korean War, Vietnam

Senator Wallop. Thank you, Colonel Leach.
Colonel Bernard.

STATEMENT OF COL. LYLE W. BERNARD, U.S. ARMY (RET.), SECRETARY-TREASURER, MONUMENT FUND COMMITTEE, SOCIETY OF THE THIRD INFANTRY DIVISION, ACCOMPANIED BY SGT. MAJ. LEONARD WERTH, INFANTRY (RET.)

Colonel Bernard. My name is Col. Lyle Bernard. I am accompanied by Sgt. Maj. Leonard Werth, Infantry, retired.

We are here to represent or present the viewpoint of the Society of the 3d Infantry Division with respect to H.R. 4378 and S. 2522, which would provide standards for the placement of commemorative works on certain Federal land in the District of Columbia.

Our interest in this matter arises from the fact that the legislation is now pending in both Houses of Congress which would authorize the use of Federal lands in the District for the erection of a memorial honoring some 10,000 war dead of the 3d Infantry Division in three wars. Although we agree with the necessity for controlling the use of Federal lands for the erection of memorials of dubious national and historical value, we are seriously concerned that the passage of either of these bills into law is likely to prohibit for the foreseeable future the erection of any commemorative work in the District by any military unit.

As you gentlemen know, both H.R. 4378 and S. 2522 outline certain land areas in the District of Columbia and establish restrictions on the erection of commemorative works in those areas.

In our view, H.R. 4378 is worded in such a way that it reflects a serious lack of the meaning of terms describing military elements, and the accompanying map seems to include areas which do not think or did not think are under the control of Congress. We recommend strongly against its passage for these reasons if for no others.

The Senate bill, S. 2522, has corrected much of the terminology, and covers primarily areas under the control of the National Park Service. We think it unfortunate, however, that both of these bills limit commemorative works in those areas to those that would commemorate a war or major conflict or a branch of the Armed Forces.

Both also prohibit those works commemorating a lesser conflict or a unit of the Armed Forces. As we read this legislation, we think it will effectively deny any future memorials by military organizations. We hope that is not their intent. The fact of the matter is that current restrictions on these sorts of memorials have limited their number to only seven since World War I. This number includes the Iwo Jima Memorial, the Seabees, the Spanish American War, and the Vietnam Memorial, which are all popular attractions in the areas in which they are placed.

Memorials to Infantry Divisions consist of only three—that is an awful fast red light—two of which were erected after World War I, and the third, the 101st Airborne, it took them 7½ years to work up, and it is now located over on Memorial Drive. One such memorial in 40 years hardly seems to justify much concern over proliferation of memorials by military units.

It is of interest to note that our society has discussed our proposed monument since 1954. I have a model of it here for your edification. We think that current requirements for legislative authority, design approval, site location, funding at private expense, and similar administrative flypaper have all operated in the past to discourage additional commemorative efforts.

Finally, I should like to mention that our organization has raised more than $47,000 for the construction of the memorial we propose. We plan a monument of modest size similar to the one I have shown here. It would require a piece of land about the size of a living room rug about 9 by 12. We are prepared to establish a trust fund for its upkeep.

We believe that rather than prohibit such unit memorials, it would be much better to consider setting aside an area such as that along Memorial Drive leading into Arlington Cemetery which could be reserved specifically for memorials honoring war dead of American military units which meet other already established criteria. Failing that, I feel positive that it will be most difficult for me to explain to my veteran friends how come there is not sufficient space in the D.C. area for a monument to their war dead, some 10,000, when at the same time they are hearing or planning to spend some $10 million of government funds for another large memorial on the Mall.

Thank you, gentlemen. I will answer any questions.

[The prepared statement of Colonel Bernard follows:]

Washington, D. C.
23 June 1986

Testimony
before

Senate Committee on Energy and Natural Resources re hearings on HR-4378 and S-2522
as given by Colonel Lyle W. Bernard, USA, Retired, for the Society of the Third United States Infantry Division.

Gentlemen: I am Colonel Lyle W. Bernard, Retired, Infantry, US Army. I am here to present the viewpoint of the Society of the Third Infantry Division with respect to HR-4378 and S-2522, which would provide standards for the placement of commemorative works on certain Federal lands in the District of Columbia. Our interest in this matter arises from the fact that legislation is now pending in both Houses of Congress which would authorize the use of Federal lands in the District for the erection of a memorial honoring more than 10,000 war dead of the Third Infantry Division in three wars. Although we agree with the necessity for controlling the use of Federal land for the erection of memorials of dubious national and historical value, we are seriously concerned that the passage of either of these bills into law is likely to prohibit, for the foreseeable future, the erection of any commemorative work in the District by any military unit.

As you gentlemen know, both HR-4378 and S-2522 outline certain land areas in the District of Columbia and establish restrictions on the erection of commemorative works in those areas. In our view HR-4378 is worded in such a way that it reflects a serious lack of the meaning of terms describing military elements and the accompanying map seems to include areas which we do not think are under the control of Congress. We recommend strongly against its passage for these reasons if for no others. The Senate Bill, S-2522, has corrected much of the terminology and covers primarily areas under control of the National Park Service. We think it unfortunate, however, that both of these bills limit commemorative works in those areas to those that would commemorate a war or major conflict or a Branch of the Armed Forces. Both also prohibit those works commemorating a "lesser conflict" or a "unit" of the Armed Forces. As we read this legislation we think it will effectively deny any future memorials by military organizations. We hope that is not their intent.

The fact of the matter is that current restrictions on these sorts of memorials have limited their number to only seven since World War I. This number includes the Iwo Jima Memorial, the Sea-Bees, the Spanish-American War and the Vietnam Memorial, which are popular attractions in the areas where they are placed. Memorials to Infantry Divisions consist of three, only one of which has been erected since World War II, (that to the 101st Airborne Division.) One such memorial in forty years would hardly seem to justify much concern over proliferation of memorials by military units. It is of interest to note that that memorial took the 101st Airborne Association some seven and one-half years to complete. Our Society has been discussing our proposed memorial since 1954 and many of us have devoted intensive effort to the project for the past three years. We think that current requirements for legislative authority, design approval, site location, funding at private expense, and similar administrative fly-paper have all operated in the past to discourage additional commemorative efforts.

Finally I should like to mention that our organization has already raised more than $47,000 for the construction of the memorial we propose. We plan a monument of modest size similar to the model similar to the model I have here. It will require a piece of ground about the size of a nine by twelve rug and we are prepared to establish a trust fund for its upkeep if that is to be required. We feel that rather than prohibit such memorials, as this legislation would do, it would be much better to consider setting aside an area such as Memorial Drive leading into Arlington Cemetery reserved specifically for memorials honoring the War dead of American military units which also meet other established criteria. Speaking as a veteran of a couple of our recent wars I know that it will be most difficult for me to try and explain to other veterans that there is not sufficient space in their Nation's Capital for our modest memorial at our own expense although we read that there are plans for another large memorial on the Mall at a cost of some $10,000,000.

Thank you gentlemen. I will be glad to try to answer any questions.

Lyle W. Bernard,
Col, USA, Ret.

Senator **Wallop**. Thank you, gentlemen.

The problem that we have is that 8 of the 18 projects that are now pending before Congress honor the military. That is not a problem, but six of those establish memorials to subgroups of the Armed Forces. Now, we have had one in 40 years that you just mentioned. Now we have got 6 that are pending right now, and if division size or larger were considered appropriate, there would be a potential for 498 memorials.

How do you tell one division that its record is insufficient to memoralize when another division has just been memorialized?

Colonel **Bernard**. I am sorry.

Senator **Wallop**. I could address that to Colonel Leach as well. I mean, that is the dimension of the problem. There are home military bases for the 11th Airborne, for the 82d Airborne. There are established places where these organizations grew up, flowered, and went from there to serve their country, but if we are talking about division size or larger, we really have a problem, and the problem is one of equity, not to those who are pending, but to the remaining units who have also served their country, what do we do?

Colonel **Leach**. Well, it is a difficult question, but you mentioned one thing, Mr. Chairman, and that was, go to the root of where these organizations spring up, like Fort Benning for Infantry or Fort Knox for Armor, but that is not the Nation's Capital, and all people do not focus on those, so we are trying to focus on our Nation's Capital, which all of us share and a belief that it should have quality memorials, and certain some place in this large environment, and I have driven all over looking for that restricted 50 sites that they talk about, and I find it hard to limit it to 50 when we are talking about 8 by 12 or 40 by 40 size sites.

Senator **Wallop**. You do not want it looking like Arlington. You do not want these places looking like Arlington, the 11th Airborne, the 82d, the Armored, and all those things going boom, boom, boom. The little things are great memorials, but that detracts from them and their meaning every bit as much as if they are not here. The dimension of the problem, you know, how do you provide a dignified recognition?

Colonel **Leach**. It is a difficult task you have. No question about it.

Senator **Wallop**. I do not think it is very dignified to have a whole series of little obelisks and things pointing to the sky, and you have to sort of stop and read each one like you do headstones in the cemetery. I mean, that is not what we are after, and I do not think what you are after, and yet if we are going to start with division size and larger, that is what we are running into. Now, the women under any set of criteria contained in either bill, they qualify, and the Korean conflict under any set of criteria in either bill qualifies, and well they should. The black Revolutionary patriots. I mean, those are things that have a little dimension, but there are now 18 of these things, and supposing we are only half right in estimating ther remaining number of sites, I am still sitting here ready to preside over 20 percent of the rest of the history of this country being taken out of service.

Colonel LEACH. May I, Mr. Chairman? We looked originally at the National Planning Commission's criterion before it got into either the House bill or your Senate version, and we knew that no one Armored Division or the Tank Destroyer Force or any of those would qualify under that criteria, so we solicited all of our 16 Armored Divisions, 15 associates of our 16 divisions of World War II, and the tank destroyers, and many of the separate units, and amalgamated our total effort to represent 26 division equivalents, of which 15 or 16, I should say correctly, are Armored Division plus the Tank Destroyer Force that had 106 battalions alone, which represents about one-fifth of the total Army in World War II, and exceeds the strength of the Army today, as a matter of fact.

Senator WALLOP. That brings us down to five, then; which would take care of the other four-fifths.

Colonel LEACH. That is what I was saying, because we represent 26 equivalents, we are not representing one division.

Senator WALLOP. I understand that.

Colonel LEACH. We worked hard to get all these guys to agree to this effort, you see, and we have.

Senator WALLOP. Keep in mind that I am in no way demeaning the effort or the significance of what you seek to memorialize. What I am trying to do is trying to figure out, is how we go from where we are and recognizing that generations that are going to come in after ours will have significant achievers, and they will probably be called on to save their Nation as our generation was, and a number of other things. That is a hell of a note to come back and say, sorry, boys, history outdid you. You cannot be memorialized.

Colonel LEACH. May I make a postscript? The Armored Force created in 1940 created a new way of doing business for the total Army. We brought mobility and exploitation and an offensive spirit to our Army that had been very lethargic from World War I up until 1940. The whole Army since World War II has adopted the total atmosphere and the traditions of the Armored Force that it brought, and it is not tanks alone, it is all encompassing, as you know as a soldier yourself, all encompassing branches, and that spirit now is seen throughout the Army because half of our divisions in the Army today are mechanized, which are built on the traditions that the Armored Force brought. So we brought an idea to the Army that we are attempting to be recognized here in our memorialization.

Senator WALLOP. I understand that. What do I do about the fighters?

Colonel LEACH. You have got Airborne represented by the 101st.

Senator WALLOP. They do not think so.

Colonel LEACH. But he is leg infantry, see, and he is talking about a group of people that fought very courageously in three wars, World War I, Korea, and World War II.

Senator WALLOP. I have got to tell you I much prefer this to Kahlil Gibran, but now we have got the astronauts coming along, we have got Hispanic Americans, Native Americans, women in the Armed Forces. They qualify. That is under the bill. Fighter pilots. And you know, it is just as bad to die in a glider as it is in a tank.

And it is just as hairy to serve your country, maybe even a little hairier, I do not know.

Colonel LEACH. We call those the heroic few, sir, where we are so many.

Senator WALLOP. The only reason I raise it is to try to put some dimension on the problem that brought us to introducing legislation like this, because, you know, there is a responsibility to the future as well as the past, and it is a struggle that we have to make at least an effort to do right. I do not know where we will come out on all these things. I suspect I know, given Senator Thurmond's—I mean, you know, I have got a couple of those boys in my constituency as well.

Colonel LEACH. He is an Airborne General supporting the Armored Force, you know, and Floyd Spencer, as you know, is a Navy captain supporting the Armored Force, and they both come from States that have one tank battalion in the whole darn State, and they are 100 percent behind the effort, every Congressman and every Senator from South Carolina.

Senator WALLOP. Yes, Colonel.

Colonel BERNARD. May I make one point, Senator? We are not talking so much about memorializing divisions. They speak for themselves. They are on the line right now. We are talking about memorializing some 10,000 dead in three previous wars.

Senator WALLOP. Colonel, I understand that, but there are dead in every unit in three and four and five previous wars. All the dead of America are memorialized in this Capital, and if they are not this country is sick beyond redemption, and I do not suspect that is true. That is the problem that we have. There is courage——

Colonel BERNARD. I sympathize with your problem. You have got a problem. You have got a big one.

Senator WALLOP. What is important to me to recognize and one of the things I think we ought to consider even with the women in the Armed Forces Memorial is some means of making certain that the very dimension of women's service is apparent in that one memorial, so that we recognize women died in airplanes flying the Hump, that we recognize women died in nursing, we recognize that women serve their country, so that when somebody comes up and says, you know, we ought to memorialize the significant achievements of women and this kind of thing, we can say you have been and say it with some certainty and some pride about it, and I think as we do other memorials, I think it is important that we try to make the scope sufficient that the pride is universal and we do not feel some necessity to single out a segment of it.

Mr. SPENCER. We certainly agree with that.

Senator WALLOP. I appreciate your taking time. I am sorry, we have one more witness and I have got 15 minutes before the big vote. Thank you all very much.

The next witness is Mr. Robert Good, chairman of the Committee on the National Capital American Society of Landscape Architects. Now Mr. Good is coming up. It appears that Congresswoman Oakar will not be able to make it. She has asked that we put her statement into the record.

[The prepared statement of Ms. Oakar follows:]

NINETY-NINTH CONGRESS

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JIM BATES, CALIFORNIA NEWT GINGRICH, GEORGIA

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103 House Annex No. 1
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STATEMENT OF CONGRESSWOMAN MARY ROSE OAKAR

SUBCOMMITTEE ON PUBLIC LANDS, RESERVED WATER
AND RESOURCE CONSERVATION

H.R. 4378 -- S. 2522

366 DIRKSEN BUILDING
JUNE 24, 1986

GOOD AFTERNOON CHAIRMAN WALLOP AND MEMBERS OF THE SUBCOMMITTEE ON PUBLIC LANDS, RESERVED WATER AND RESOURCE CONSERVATION: I AM PLEASED TO TESTIFY BEFORE THIS SUBCOMMITTEE IN REFERENCE TO H.R. 4378 AND S. 2522, LEGISLATION DESIGNED TO SET UNIFORM STANDARDS FOR THE ESTABLISHMENT AND PLACEMENT OF MEMORIALS AND MONUMENTS ON FEDERAL LAND IN THE NATION'S CAPITAL. I AGREE THAT BALANCE NEEDS TO BE ACHIEVED BETWEEN COMMEMORATIVE WORKS ON NATIONAL PARK LAND AND THE MYRIAD OF ACTIVITIES THAT OCCUR THERE. HOWEVER, I AM CONCERNED ABOUT A FEW POINTS IN THE SENATE VERSION THAT ARE DIFFERENT FROM THE HOUSE-PASSED VERSION.

FIRST OF ALL, IN CONJUNCTION WITH THE DEPARTMENT OF INTERIOR, H.R. 4378 WAS INTRODUCED BY REP. MORRIS UDALL (D-AZ) ON MARCH 11, 1986 AND PASSED ON MAY 5, 1986. REPRESENTATIVES FROM THE COMMITTEE ON HOUSE ADMINISTRATION AND THE COMMITTEE ON THE INTERIOR CAREFULLY CRAFTED AN AMENDMENT IN THE NATURE OF A SUBSTITUTE THAT ESTABLISHED REALISTIC GUIDELINES FOR FUTURE MEMORIAL PROPOSALS WHILE AT THE SAME TIME REMAINED SENSITIVE TO THE BILLS THAT WERE VOTED ON UNANIMOUSLY IN THE HOUSE OF REPRESENTATIVES ON NOVEMBER 6, 1985 BY ROLL CALL VOTE. JURISDICTION WAS ALSO RETAINED IN THE APPROPRIATE COMMITTEES.

SECONDLY, THE SENATE VERSION NOT ONLY INCLUDES RESTRICTING THE USE OF PARK SERVICE LANDS FOR THE ESTABLISHMENT OF MEMORIALS, BUT ALSO RESTRICTS THE USE OF THE GENERAL SERVICES

ADMINISTRATION LAND AND CERTAIN ADJACENT AREAS IN THE DISTRICT OF COLUMBIA AS WELL. THIS WOULD ESSENTIALLY INCLUDE VIRTUALLY ALL THE LAND IN THE DISTRICT OF COLUMBIA THAT IS NOT PRIVATE PROPERTY; FAR EXCEEDING THE GUIDELINES OF THE HOUSE BILL WHICH CONCERNS ITSELF WITH PARK LANDS -- PRIMARILY THE MALL AND AREAS ADJACENT.

THIRDLY, I HOPE THAT YOU WILL FOLLOW THE GUIDELINES SET UP IN THE HOUSE VERSION IN TERMS OF ESTABLISHMENT AND PLACEMENT FOR MEMORIALS IN THE DISTRICT OF COLUMBIA. TO BRING S. 2522 TO CONFORMITY, I SUGGEST THAT YOU AMEND THE SENATE VERSION TO INCLUDE THE WORDS OF SECTION 11(2) OF H.R. 4378, DATED APRIL 21, 1986.

"THIS ACT SHALL NOT APPLY WITH RESPECT TO EITHER OF THE FOLLOWING:

1. A COMMEMORATIVE WORK AUTHORIZED BY LAW ENACTED ON OR BEFORE THE COMMENCEMENT OF THE 99TH CONGRESS.

2. A COMMEMORATIVE WORK AUTHORIZED BY A BILL OR JOINT RESOLUTION PASSED BY EITHER HOUSE OF THE CONGRESS ON OR BEFORE NOVEMBER 6, 1985, AND ENACTED INTO LAW AFTER THAT DATE."

IN FAIRNESS, THE THREE BILLS THAT HAVE ALREADY PASSED THE

HOUSE OF REPRESENATIVES THAT PERTAIN TO THIS CLAUSE ARE NAMELY: H.R. 2205, A BILL TO "ERECT A MEMORIAL ON FEDERAL LAND IN THE DISTRICT OF COLUMBIA OR ITS ENVIRONS TO HONOR MEMBERS OF THE ARMED FORCES OF THE UNITED STATES WHO SERVED IN THE KOREAN WAR"; H.R. RES. 142, A BILL "TO AUTHORIZE THE BLACK REVOLUTIONARY WAR PATRIOTS FOUNDATION TO ESTABLISH A MEMORIAL IN THE DISTRICT OF COLUMBIA AT AN APPROPRIATE SITE IN CONSTITUTION GARDENS"; AND H.J.RES. 36, A BILL "TO AUTHORIZE THE ESTABLISHMENT OF A MEMORIAL TO HONOR ALL WOMEN WHO HAVE SERVED IN OR WITH THE ARMED SERVICES."

BESIDES INCLUDING THE THREE BILLS THAT HAVE PASSED THE HOUSE, ADOPTION OF SECTION 11(2) WOULD INCLUDE S.J.RES. 43, WHICH PASSED THE SENATE ON SEPTEMBER 20, 1985. THIS BILL "AUTHORIZES THE ESTABLISHMENT OF A MEMORIAL TO THE ARMORED FORCE ON UNITED STATES GOVERNMENT PROPERTY IN ARLINGTON, VIRGINIA."

FINALLY, MR. CHAIRMAN, I AM VERY CONCERNED ABOUT SECTION 6 IN YOUR BILL ENTITLED: "SPECIAL CONDITIONS APPLICABLE TO AREA I AND AREA II". THIS SECTION READS: "IN ADDITION TO CONDITIONS SET FORTH IN SUBSECTION (B) OF THIS SECTION, NO COMMEMORATIVE WORK MAY BE LOCATED IN AREA I UNLESS THE SECRETARY AND THE ADMINISTRATOR (AS APPROPRIATE) AFTER CONSULTATION WITH THE NATIONAL CAPITAL MEMORIAL COMMISSION FINDS THAT THE SUBJECT OF

THE COMMEMORATIVE WORK IS OF PREEMINENT HISTORICAL AND LASTING SIGNIFICANCE TO THE NATION. THE SECRETARY OR ADMINISTRATOR SHALL NOTIFY CONGRESS OF HIS DETERMINATION THAT A COMMEMORATIVE WORK SHOULD BE LOCATED WITHIN AREA I. UNLESS THE CONGRESS ENACTS A JOINT RESOLUTION APPROVING SUCH DETERMINATION WITHIN 90 DAYS OF SUCH NOTIFICATION, THE DETERMINATION SHALL BE DEEMED DISAPPROVED."

MR. CHAIRMAN, WE ARE ABDICATING OUR RESPONSIBILITY AS REPRESENTATIVES OF THIS COUNTRY IF WE ALLOW THE EXECUTIVE BRANCH TO ACQUIRE JURISDICTION OF WHAT HAS ALWAYS BEEN THOROUGHLY ACCOMPLISHED BY THE CONGRESS OF THIS UNITED STATES. IN THE SENATE VERSION, THE ESTABLISHMENT AND PLACEMENT OF FUTURE MEMORIALS IN AREA I WILL BE APPORVED BY THE EXECUITVE BRANCH -- CONGRESS WILL GIVE UP ITS AUTHORIZATION, AND IN ESSENCE BECOME A RUBBER STAMP TO THE EXECUTIVE BRANCH.

Senator WALLOP. Mr. Good.

STATEMENT OF ROBERT W. GOOD, CHAIRMAN, COMMITTEE ON THE NATIONAL CAPITAL, AMERICAN SOCIETY OF LANDSCAPE ARCHITECTS

Mr. GOOD. Thank you, Mr. Chairman. In the interest of the big vote I will abbreviate my prepared statement slightly verbally, but on behalf of the American Society of Landscape Architects I appreciate the opportunity to testify in support of S. 2522, and I would like to commend you and the other sponsors of the bill for introducing this legislation in the Senate.

The ASLA has officially adopted policies on the selection of locations for and the design of memorials on public properties and on design projects of national significance, and in those policies the society urges that the greatest care be taken in the location, design, and siting of public memorials and other forms of commemoration in order to ensure the lasting public benefit and guarantee the rights of the Nation to its public spaces where those memorials are located. As such, we believe that it has become absolutely vital to control and to guide carefully and constructively the authorization, siting, design, and maintenance of new memorials. To that end, the American Society of Landscape Architects fully and very strongly supports S. 2522, and we particularly emphasize the importance of area I and the need to ensure the lasting protection of historic aspects of that particular area.

Although we share the concern expressed in the House bill about additional memorials being located in area I and so testified at that time, we also recognize, and particularly in S. 2522, that there will be continued pressure to locate memorials in that area, and that a future Congress may well decide to do so. As such, we feel that the approach in section 6(a) of S. 2522 is a reasonable and appropriate compromise that would allow for a fully considered determination of the significance of the commemorative subject prior to its assignment in area I and support that.

We would, however, in addition encourage you to extend the scope of S. 2522 to include what we feel is a logical and fairly critical issue. The selection of sites for commemorative works is really an issue of urban design that extends beyond the confines of any particular memorial site itself and into the fabric of the city of Washington.

We feel that it is essential that the site selection process therefore be guided by a sound framework, and feel that it is essential that the National Capital Planning Commission or other appropriate body be authorized and directed to prepare a management plan to act as a framework and to identify and catalog sites for future commemorative works and utilizing the published guidelines of the National Capital Memorial Advisory Committee to develop specific criteria for the allocation and use and design of such sites.

We are particularly pleased that the bill contains a specific provision requiring funds be set aside for maintenance. The lack of adequate funds for that purpose has long been a significant problem, and the establishment and perhaps more importantly the protection of a separate account for perpetual maintenance of commemorative works would do much to guarantee the consideration and care that those works rightfully deserve. We hope that the committee will act promptly on this bill, and thank you for the opportunity to comment on it. I am available for your questions if there are any.

[The prepared statement of Mr. Good and a subsequent submittal from the American Society of Landscape Architects follow:]

ASLA
American Society of Landscape Architects

STATEMENT OF ROBERT W. GOOD, ASLA
CHAIRMAN, COMMITTEE ON THE NATIONAL CAPITAL
AMERICAN SOCIETY OF LANDSCAPE ARCHITECTS
BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS
SENATE ENERGY AND NATURAL RESOURCES COMMITTEE
HEARINGS ON S. 2522

Mr. Chairman and Members of the Committee:

I am Robert W. Good, Chairman of the American Society of Landscape Architects Committee on the National Capital, and a Registered Landscape Architect practicing in the Washington metropolitan region. I appreciate this opportunity to testify in support of S. 2522, and commend you and the other sponsors of the bill for introducing this legislation.

The ASLA has a long-standing interest in our nation's public spaces. The pursuit of excellence in design of those spaces is a tradition begun by the founders of the profession. Men such as Frederick Law Olmsted Sr. and Jr., John Olmsted, Andrew Jackson Downing and Charles W. Eliot were involved with projects of true national significance. Frederick Law Olmsted designed many of the nation's first public parks, and laid out the grounds of the U. S. Capitol. His son was a member of the McMillian Commission which developed plans for parks and the placing of public buildings in the Nation's Capital and he was an original member of the Commission of Fine Arts.

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Today, ASLA represents over 8,000 landscape architects in public, private and academic practice. Our members contribute to the design, planning and management of the land, and share a deep commitment to achieving a critical balance between the preservation, use and management of our nation's resources.

The ASLA has officially adopted policies on the selection of locations for, and the design of memorials on public properties, and on designed projects of national significance. The society urges that the greatest care be taken in the location, design and siting of public memorials and other forms of commemoration, to ensure lasting public benefit and guarantee the rights of the nation to its public spaces.

The value of the national capital as the nation's most significant public space is recognized by millions of citizens and visitors annually. Area I, particularly the mall and monumental core, is in itself a commemoration of the spirit of our nation. Because of their significance, availability and visibility, these spaces are increasingly sought for the commemoration of a diverse spectrum of persons, groups or events. There can be no question that, as these spaces become filled with such fractionalized uses and interests they will lose the essential character, dignity and unity of spirit that has become a part of the lives and memories of generations of Americans and visitors to our country.

At the same time it must be recognized that the commemoration of the American people and their history represents the most noble of intentions, that opportunities for the enrichment and appreciation of that history must be found, and that the Nation's Capital, more than any other location, provides the appropriate setting for such commemorations.

As such, we believe it has become vital to control and to guide, carefully and constructively, the authorization, siting, design and maintenance of new memorials. To that end, ASLA fully supports S. 2522. We particularly emphasize the importance of Area I and the need to ensure lasting protection of the historic visual axes, radials and grounds of the Mall, the Washington Monument, the White House, Jefferson and Lincoln Memorials, and Arlington Cemetery.

Although we share the concern expressed in the House bill about additional memorials being located in Area I and so testified, we also recognize that there will be continued pressure to do so and that a future Congress may decide to locate another memorial in the area. As such, we believe that the approach in Section 6(a) is a reasonable and appropriate compromise allowing for fully-considered determination of the significance of a commemorative sugject prior to its assignment to Area I.

In addition, we encourage you to extend the scope of S. 2522 to include a logical, and, in our view, critical issue: The selection of sites for commemorative works is an issue of urban design that extends beyond the confines of any site itself into the fabric of the city. As such it is essential that the site selection process be guided by a sound framework. We believe that it is essential that the National Capital Planning Commission or other appropriate body be authorized and directed to prepare a management plan to act as such a framework and to identify and catalog sites for future commemorative works, and, utilizing the published guidelines of the National Capital Memorial Advisory Committee, to develop specific criteria for the allocation, use and design of such commemorative sites.

We are particularly pleased that the bill contains a specific provision requiring that funds be set aside for maintenance. Lack of adequate funds for this purpose has long been a significant problem, and the establishment and protection of a separate account for perpetual maintenance of commemorative works will do much to guarantee the consideration and care that such works deserve.

We hope that the Committee will act promptly on this bill and thank you for this opportunity to comment on it. I would be happy to answer any questions that you may have.

ASLA
American Society of Landscape Architects

John L. Wacker, FASLA
President

1986 JUN 23 AM 9 20

June 20, 1986

The Honorable Malcolm Wallop, Chairman
Subcommittee on Public Lands
Senate Energy and Natural Resources Committee
Washington, D. C. 20510

Dear Mr. Chairman:

We appreciate this opportunity to comment on S. 2522, a bill to provide standards for placement of commemorative works on certain federal lands in the District of Columbia and its environs...

The American Society of Landscape Architects has a longstanding interest in our nation's public spaces. The pursuit of excellence in design is a tradition begun by the founders of the profession. Frederick Law Olmsted Sr. and his son, Frederick Law Olmsted Jr., were involved in shaping the monumental area of Washington, D. C.. Olmsted Sr. designed the grounds of the Capitol, and Olmsted Jr. was a member of the McMillan Commission on the redesign of the Nation's capital. We are pleased that this bill would preserve the integrity of the L'Enfant and McMillan plans.

ASLA recognizes that excellence in design whether for an entire city or a specific memorial encompasses beauty, environmental integrity, efficiency and economy. Nearly all things of the built environment should be designed to consider human needs. In fact, the built environment often survives a civilization and is, therefore a lasting reflection of society. Thus it should be designed to reflect the best of our culture.

We commend the sponsors of S. 2522 for introducing this legislation which in our view is important to the future of our Nation's Capital. If we keep building memorials within the existing federal core we will detract from those already in existence and exacerbate the congestion in that area.

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Senator Wallop
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Therefore, we believe that the time has come to more stringently limit what can be built in the core area. In addition, we believe that it would be logical to extend the scope of this legislation to include all federal land in the District of Columbia with the sector designated as Area I having more stringent standards than other areas in the city.

Although we share the strong concern expressed in the House bill about additional memorials being located in Area I, we also recognize that there will be continued pressure to site them in that area and that a future Congress may decide to do so. Thus, we believe the two-step approach taken in Section 6, in which the Congress would have to act to approve such locations, is a reasonable compromise.

We recommend that the legislation direct that a master plan of the entire city be prepared showing existing memorials and suitable vacant spaces where future memorials might be sited. Such a plan must also contain criteria, guidelines and policies for memorializing persons and events. These would be in addition to the basic criteria spelled out in Section 8 of S.2522.

We are pleased that the bill contains a specific provision requiring that funds be set aside for maintenance of memorials built in the future. Lack of funds for maintenance is a tremendous problem and is likely to remain so, and we welcome this direct approach to solving the problem.

By looking at the big picture, we can assure that events and persons of truly national or international significance receive appropriate recognition, but that this takes place in a context which reflects the highest quality of design and the special nature of the American culture.

Thank you for this opportunity to express our views. We hope the Committee will act favorably on this important issue. Please include this letter in the official hearing record.

Sincerely,

John Wacker

John Wacker, FASLA
President, ASLA

cc: ASLA Executive Committee
Edward H. Able, ASLA Executive Vice President
Raymond Freeman, Director of Government Affairs
Cynthia Wilson, Government Affairs Coordinator
Robert Good, ASLA

Senator **Wallop**. Mr. Good, thank you. The only absolutely certain thing and the only permanent thing is that this Congress cannot bind another Congress no matter what we try to do. We can give them a task to undo, but we cannot give them a set of guidelines which they cannot leap over, and probably will, at some moment in time. It might be that at some future time they will make it even narrower than these, but it might also be, and I do not deny for a minute that it is a high likelihood that given something of high political visibility, they would seek to make an exception for one event.

I know they will seek it, and I am certain they will succeed. I mean, it is just one of the benefits of a free society, but at least it gives us a place to start from. So I appreciate your coming here this afternoon.

The subcommittee stands adjourned.

[Whereupon, at 3:52 p.m., the hearing adjourned.]

[Subsequent to the hearing the subcommittee received the following statement from Mr. Imse:]

Statement of

T. Paul Imse, Jr.,
Secretary & General Counsel
of the

FRANCIS SCOTT KEY PARK FOUNDATION, INC.

before the

Subcommittee on Public Lands, Reserved Water
and Resource Conservation

of the

Committee on Energy and Natural Resources

at its

Hearing on S. 2522 and H.R. 4378

June 24, 1986

Francis Scott Key Park Foundation, Inc.
1530 Wisconsin Avenue, N.W.
Washington, D.C. 20007
(202) 333-8194

Mr. Chairman and Members of the Subcommittee, I am T. Paul Imse, Jr., and I am the Secretary and General Counsel of the Francis Scott Key Park Foundation, Inc. I thank you for this opportunity to address the Subcommittee with the Foundation's comments on S. 2522, to provide standards for the placement of commemorative works on certain Federal lands in the District of Columbia and its environs.

The Francis Scott Key Park Foundation certainly understands the underlying need for legislation of this nature and is supportive of its overall intent. However, there are a number of matters in the bill -- many of which do not directly or indirectly affect our proposed legislation, S. 2370 -- which the Foundation believes should be considered. These comments are based upon what we have learned about memorials through our own experience and our judgement as to how to make the bill a better one.

I will address the Foundation's specific comments in a seriatum manner, rather than attempt to rank them in any order of importance.

Section 1(a) cites the L'Enfant and McMillan Plans for the Nation's Capital. The Foundation would suggest that the District of Columbia Comprehensive Plan should be included as well. The District of Columbia Comprehensive Plan is certainly based upon the L'Enfant and McMillan Plans, and it encompasses the current view of the District of Columbia as to how they should both be implemented and protected through land use restrictions and long range urban planning. Inasmuch as the Federal and City governments exist in an inextricably intertwined relationship, the Foundation believes it is appropriate to recognize the Comprehensive Plan as part of the standards against which memorial proposals should be measured out of respect for the District of Columbia's home rule perogatives and as a matter of comity.

The Foundation believes that the definition of "commemorative work" in Section 2(c) may be interpreted to be broader than its intent. It would appear that the mere naming of a building would bring it within the strictures and all the requirements of the bill. If this is the case, the Foundation would note, for example, that the Humphrey HHS Building, the Hoover FBI Building, the Hart and Dirksen Senate Office Buildings and the Kennedy Center would not meet the 25 year requirement of Section 6(b)(2).

Even though the proposed site for the Francis Scott Key Memorial is not within Area I, the Foundation would suggest that the provisions of Section 6(a) are unnecessarily burdensome because it requires that Congress act twice in order for a memorial to be placed in Area I. It is certainly appropriate that Congress make a special determination regarding the overriding importance of a proposal which merits its placement within Area I, but this could be done in the manner proposed by H.R. 4378. Even though, as a practical matter, Congress would probably have the views of the National Capital Memorial Advisory Committee --

or its successor as designated by the bill -- and the Secretary or the Administrator at such time as Congress acts, it would not be inappropriate to have a statutory requirement that those views be available before Congress could act. In addition, the Foundation would suggest that the ninety day Congressional approval period provided in Section 6(a) is overly short. With all the important issues before Congress which it must consider and address, it is not difficult to envision circumstances where Congressional action within this period would be impractical, no matter how compelling the merits of a particular proposal.

In addition to our substantive comments, the Foundation would suggest that a minor redrafting of Section 6(b) is appropriate. It would appear that the openning sentance should read, "Commemorative works of subjects of lasting historical significance may be located in Area II ...." (Emphasis added) While one would hope that the memorial itself is so, its subject is what is of lasting historical significance and justifies its authorization and construction.

The Foundation would note that Section 6(b) could be read, as drafted, to require that all of its standards be met simultaneously, rather than as alternative standards. For example, a memorial to World War I could not honor the mem and women who served in that war, because many of them are still alive. In addition, the Vietnam Veterans Memorial could not meet the standards of the bill because many of those veterans are still alive and because it is a memorial to the veterans -- not the war. It is also very conceivable that the provisions of Section 6(b)(3) could run afoul of the provisions of Section 6(b)(2) as well. Given the broad definition in Section 2(c), the Holocaust Museum is an example of something which could run afoul of the 25 year requirement.

The Foundation would suggest that the standards of Sections 6(b)(1), 6(b)(2) and 6(b)(3) should be made clearly alternative, rather than cumulative, standards.

The Foundation also believes that there are problems with the standards proposed in Section 7(b). The requirement of Section 7(b)(1) that a memorial be "located in surroundings relevant to the subject of the commemorative work" (emphasis added) is a standard that the Foundation's proposal can clearly meet since our proposed site is the last open space near the site of Francis Scott Key's home and law office at the time he wrote "The Star Spangled Banner." However, it is difficult to determine what standards of relevance could reasonably apply to some proposals presently extant or which will be made in the future. Should, for example, a memorial to Davy Crockett be buried in the forest of Rock Creek Park since he was a frontiersman? Then again, maybe it should be on Capitol Hill since we was a Congressman? Or possibly on Texas Avenue because of his identification with the Alamo?

Section 7(b)(2) presents significant problems as well. Understandably, one does not want to have a new memorial encroach on an existing one. Then again, this is a broad and slippery concept. The real problem is the requirement that it protect open space and that it be compatible with existing public use. Certainly, any memorial gives a raison d'etre to keep its space and some around it open and an enjoyable place for people to come to visit and remember, but the bill's standards present two different and troubling questions. In the first instance, the bill appears to place existing, current use unchanged and in concrete. Is Congress so sure that every baseball diamond, volleyball court, picnic area and vacant lawn must, for example, remain that way for time immemorial when it may be appropriate to relocate it for the establishment of a commemorative work or where it may desirable to discontinue the existing use altogether for another reason? The other problem is that of an undesirable present use. In the cases where an appropriate site for a memorial is presently used as a dumping ground for trash and litter, or an ad hoc parking area which exists because it is vacant, uncared for and noone else is using it, or a camping ground and congregation place for street people, are those uses to be preserved, protected and sanctified by this bill?

Certainly, the wonderful parks and open space and the human scale of our Capital City are extremely valuable assets which all of us want to nurture and protect and enhance. The establishment of memorials is not necessarily incompatible with these goals. In fact, memorials can well serve to foster them. However, the standards of Sections 7(b)(1) and 7(b)(2) could serve to foster no end of litigation and could serve to frustrate the goals of Congress in its authorization of the establishment of a memorial or its desire to preserve, protect and enhance the beauty of our Nation's Capital.

With respect to Sections 7(b)(1) and 7(b)(2), the Foundation would suggest that the language should be redrafted to focus on the appropriateness of a site for the establishment of a memorial or other commemorative work in a very generic sense. This could also include, the relative historical importance of the subject to be commemorated as determined by the Congress and the Secretary or the Administrator, the relevance, if any, of the site to the subject being commemorated, the existing uses of the site and the surrounding area and how the commemorative work will relate to them and allowing for consideration of whether those existing uses should be accomodated, eliminated or curtailed, and the extent to which the commemorative work will enhance or detract from the L'Enfant and McMillan Plans and the District of Columbia Comprehensive Plan.

Section 7(b)(3) also presents a minor problem. As Section 2(c) recognizes, a commemorative work can include a garden or memorial grove. For this reason, it would be appropriate to suggest that the subsection address the natural elements as well as the "bricks and mortar" elements in terms of hardiness, compatibility with the climate, etc.

The Foundation has several suggestions to make with respect to Section 8(b). In the abstract, the Foundation believes that this is a wise provision and supports its intent. Several changes, however, are necessary in our view. First and foremost, there is no requirement that the depository account with the Treasury be an interest bearing one and that the interest be available for use in maintaining and preserving commemorative works -- the bill only speaks in terms of the ability of the Secretary or the Administrator to withdraw "money deposited", not any income the account may generate. To leave the bill as drafted effects a 100% income tax on the depository fund.

The manner in which the bill is drawn allows for these deposited funds, and their income hopefully, to be used for the maintainance of any and all commemorative works. This, assumably, would allow for maintainance and preservation of previously existing memorials as well. While this is probably wise, the Foundation would note that the protection of these deposited funds from the effects of the Impoundment Act and Graham-Rudman-Hollings is substantially diluted by the fact that appropriations made for maintainance and preservation would be exposed to these statutes, thus allowing for the exposure of the depository fund to heavier draws to try to make up for shortfalls created by impoundments, deferrals, rescissions or sequestrations.

The Foundation would also note that there is no provision for the situation where the person who builds a commemorative work wishes to provide an additional endowment over and above the

the 10% required by the bill. As Mr. Manus J. Fish testified before this hearing, the LBJ Memorial Grove has an endowment created within the National Park Foundation and that this arrangement has worked very well. The Foundation would recommend that the bill specifically provide for such additional endowments, whether in a separate depository account with the Treasury for that memorial only, or with an account within the National Park Foundation or another foundation. It should be further provided that these additional endowments should be protected from deferral, impoundment, rescission, or sequestration and that the availability of those funds cannot be considered in any decision to defer, impound, rescind or sequester appropriated funds by reason of the existence of such endowment in the Treasury, the National Park Foundation or another foundation. This kind of standard could well be applied to the general 10% depository account as well.

The Foundation would note that there are no standards set forth in Section 8(b) relating to the extent to which the Secretary and the Administrator may draw upon the 10% depository with the Treasury or any standards of allocation between them. It is conceivable that, given the substantial need for funds and the budgetary limitations on all agencies, the potential for an agency to try to draw heavily upon the depository accounts in order to be able to provide for other needs by reprogramming maintainance appropriations for other purposes could be very tempting. In addition, the broad definition of Section 2(c) for example, may arguably provide for a substantial draw from the depository fund in order to maintain the Hoover FBI Building. Certainly, nothing herein should be interpreted as any sort of an accusation of bad faith on the part of either the Secretary or the Administrator -- it is raised as a potential problem area which could serve to create unintended negative effects with respect to the depository fund.

The Foundation would also like to call to the Subcommittee's attention that there is a substantial area which the bill fails to address -- that is, a role for the District of Columbia.

Historically, the role of the Congress in authorizing the establishment of memorials, in the abstract, goes back to at least 1912:

> Hereafter, there shall not be erected on any reservation, park or public grounds within the District of Columbia, any building or structure without the express authority of Congress. (37 Stat. 417 at 444 (August 24, 1912); 40 U.S.C.A. §68; see also, D.C. Code §8-128 (1981 ed.)).

In the case where land has been placed under the jurisdiction and control of the District of Columbia, the Foundation would point out that the land records of the District of Columbia reflect that the owner of record is the United States. Further, legislation which has authorized memorials over recent years has provided for the approval by the Mayor for the site and the design for the memorial, in addition to that required from the Commission of Fine Arts, the National Capital Planning Commission and the Secretary of the Interior, in the case where the land is under the jurisdiction and control of the District of Columbia. Further, such legislation has provided that, if the land where the memorial is located is under the jurisdiction and control of the District of Columbia, responsibility for the maintainance lies with the District.

In the particular case of the Francis Scott Key Park Foundation, we do not directly fall within the ambit of the bill before the Subcommittee as it is drafted. Our proposed site is under the jurisdiction and control of the District of Columbia. (42 Stat. 1327 at 1338 (Part 1) (February 28, 1923); see also, D.C. Code §7-511 (1981 ed.)). The Foundation first went to the District of Columbia to seek authorization for the Francis Scott Key Memorial. Yet, after substantial review by the District of Columbia, the Foundation was asked to seek Congressional authorization prior to any formal action by the City. The Foundation would note, parenthetically, that there is substantial support for the Francis Scott Key Memorial and our proposed site within the D.C. Government, including that of the Mayor. This is the reason we are now before the Congress with S. 2370 and H.J.Res. 435.

The Foundation's intent, ultimately, is to obtain the authorization for and to build the Francis Scott Key Memorial on our proposed site at the intersection of Key Bridge and M Street in Northwest Washington and to seek to effect the transfer of the site from the District of Columbia to the National Park Service. The Foundation's plans will, when realized, result in assisting and complementing the National Park Service plans for the creation of the Georgetown Waterfront Park and making improvements to the Georgetown section of the C&O Canal National Historical Park. This is recognized in both the National Park Service's present plans for the area and the action by the National Capital Memorial Advisory Committee with respect of H.J.Res. 435 on November 14, 1985 which both supported the establishment of the Francis Scott Key Memorial and tacitly supported the Foundation's proposed site.

Obviously, the Foundation wishes to respect the District of Columbia's perogatives regarding home rule. However, where in our case at least, the District of Columbia has asked us to pursue Federal approval first, it would seem appropriate to provide for a role for the District of Columbia where it has jurisdiction and control over the property. It would seem appropriate to provide for a D.C. role in the approval process, to provide for the District's responsibility for maintainance where the commemorative work is placed on land under its jurisdiction and control, and to allow for the District to require the establishment of a maintainance and preservation fund where it is responsible for maintainance. This would serve to recognize home rule, provide for an appropriate role for the District in the approval process, and allow the City to exercise its perogatives as it saw fit on the question of maintianance and preservation.

As a final note, the Foundation would point out that the bill only applies to specified lands under the jurisdiction of the National Park Service and the General Services Administration.

Certainly the genesis of this limitation may be the extent of the jurisdiction of this Subcommittee and the full Committee. In addition, it is clear that the 1912 statute would still require the approval of Congress for a memorial where the proposed site is on land administered by another agency. Yet, by its terms, the bill's standards would not apply to such proposals. It would seem appropriate that this bill should apply to all federal lands within the District of Columbia, at least.

This, of course, would further complicate questions raised with respect to Section 8(b) and its required depository account. It may well be that a separate depository account should be established with respect to each agency where one or more commemorative works is established on land administered by it and to provide for the transfer of an appropriate amount from one depository account to another in the event there is a transfer of administrative responsibility from one agency to another, or from the District of Columbia to an agency of the Federal government.

The Foundation would note that, if Congress should take this course, the proposed limitation of Section 6(b)(1) should be reviewed with respect to a commemorative work which is established on land under the Department of Defense. The basis for that restriction is clearly apparent as the bill is presently drawn, but the Foundation is not sure the Congress would want to have that restriction necessarily extend to the Marine Barracks or Fort McNair or Bolling Air Force Base. The same may be said with respect to the restrictions contained in Section 6(b)(2) and 6(b)(3) as well.

Given the complications raised by the extension of this bill to non-Park Service and GSA lands, it may well be that the Congress would prefer that the simple generic requirements of the 1912 statute should apply in such cases and that the strictures of this bill should not. In such a case, the Congress would still be able to review these other proposals on a case by case basis because of the need for Congressional authorization. If Congress should decide that this is the preferable approach, then it may well be appropriate to specifically exclude non-Park Service and GSA lands from this bill and to reaffirm the fact that such proposals must be handled under the terms of the 1912 statute.

The Foundation acknowledges that the comments contained in this statement propose substantial suggested changes to the bill being considered by the Subcommittee. We certainly do support the general thrust and intent of S. 2522, and these comments are offered in the truest sense of constructive criticism directed toward attempting to suggest ways to make the bill the best one possible.

This bill is the outgrowth of pattern and practice which has developed in both the Congress and the Executive Branch over the past years. Yet, it is very important because it is an effort to codify policy. Because of this fact, it must be carefully wrought, lest that which is both appropriate and desirable be foreclosed by a policy definition which does not truly accomplish that which is intended.

Unquestionably, the Foundation has a vested interest in this bill because our authorizing legislation, S. 2370, is pending before you. The Foundation supports S. 2522 in general principle, with the changes we have suggested. Whether or not the suggested changes we have proffered are adopted, we are confident that our proposal can meet the standards of the bill, even if it does not end up directly applying to the Francis Scott Key Memorial.

We also hope that the Subcommittee will be able to consider and act favorably upon our authorizing legislation, S. 2370, at an early date.

Thank you.

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